

# **Strategic Planning Board**

## **Agenda**

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<b>Date:</b>	<b>Wednesday, 20th January, 2010</b>
<b>Time:</b>	<b>2.00 pm</b>
<b>Venue:</b>	<b>The Capesthorne Room - Town Hall, Macclesfield SK10 1DX</b>

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The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

### **PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT**

1. **Apologies for Absence**

To receive any apologies for absence.

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests and for Members to declare if they have made a pre-determination in respect of any item on the agenda.

3. **Minutes of the Previous Meeting** (Pages 1 - 10)

To approve the minutes as a correct record.

4. **Public Speaking**

A total period of 5 minutes is allocated for the planning application for Ward Councillors who are not members of the Strategic Planning Board.

A period of 3 minutes is allocated for the planning application for the following individuals/groups:

- Members who are not members of the Strategic Planning Board and are not the Ward Member
- The relevant Town/Parish Council
- Local Representative Group/Civic Society
- Objectors
- Applicants/Supporters

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For any apologies or requests for further information, or to arrange to speak at the meeting

**Contact:** Sarah Baxter  
**Tel:** 01270 686462  
**E-Mail:** Sarah.Baxter@cheshireeast.gov.uk

5. **P08/1258-Reserved matters for ground works for spine road, drainage, balancing ponds, plot formation, structural landscaping, public art, (with ecological assessment, lighting strategy, construction management plan, flood risk assessment), Land off Crewe Road, Basford West, Crewe for Goodman Logistics Development (UK) Ltd (Pages 11 - 38)**

To consider the above application.

6. **09/1480N-Erection of a Building for use within Class B8, use Class B2 with ancillary offices, security gatehouse and associated car parking and landscaping, Basford West Development Site, Crewe Road, Shavington-cum-Gresty, Crewe for Goodman (Pages 39 - 62)**

To consider the above application.

7. **09/3023M-Outline Planning Application with means of Access, Layout, Scale and Appearance for Consideration and Landscaping Reserved for Subsequent Approval for the Development of a Care Village Comprising 55 Bedroom Care Home, 36 Close Care Cottages; 6 Shared Ownership Affordable Dwellings - All for the Over 55's; and Associated Access Roads, Public Open Space, Landscaping, Car Parking and Ancillary Development, Land Adjacent to, Coppice Way, Handforth, Wilmslow, Cheshire for Greystone (Uk) Ltd (Pages 63 - 86)**

To consider the above application.

8. **09/3050M-Formation of New Vehicular Access from Coppice Way and Associated Engineering Works, Land South Of, Coppice Way, Handforth, Wilmslow, Cheshire for Greystone (Uk) Ltd (Pages 87 - 92)**

To consider the above application.

9. **09/3535C-Proposed housing development consisting of 43no. 1, 2, 3, & 4 bedroom dwellings, Land Southwest of, Old Mill Road, Sandbach, Cheshire for Morris Homes Ltd (Pages 93 - 104)**

To consider the above application.

10. **09/3639C-Demolition of all Existing Buildings and the Erection of 53 No. Retirement Apartments, 13, Congleton Road, Sandbach, Cheshire for Gladman Care Homes Ltd/Hackney (Pages 105 - 122)**

To consider the above application.

11. **Consultation by Adjoining Authority on 09/02430/WAS-Waste Treatment Plant, Wincham, Northwich (Pages 123 - 126)**

To consider the above report.

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Strategic Planning Board**  
held on Wednesday, 23rd December, 2009 at Committee Suite 1,2 & 3,  
Westfields, Middlewich Road, Sandbach CW11 1HZ

### **PRESENT**

Councillor H Gaddum (Chairman)  
Councillor J Hammond (Vice-Chairman)

Councillors Rachel Bailey, A Arnold, P Edwards, M Hollins, D Hough,  
B Moran, G M Walton, S Wilkinson and J Wray

### **OFFICERS PRESENT**

Ms S Dillon (Planning Solicitor), Mr A Fleet (Principal Planning Officer), Mr A Fisher (Head of Planning and Policy), Ms P Lowe (Development Control Manager) and Ms S Orrell (Principal Planning Officer)

#### 143 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors D Brown, W J Macrae and C Thorley.

#### 144 **DECLARATIONS OF INTEREST**

None.

#### 145 **MINUTES OF THE PREVIOUS MEETING**

RESOLVED

That the minutes be approved as a correct record and signed by the Chairman.

#### 146 **PUBLIC SPEAKING**

RESOLVED

That the public speaking procedure be noted.

#### 147 **09/3565M - OUTLINE PLANNING FOR NEW BUILD DEVELOPMENT OF 73 EXTRA CARE APARTMENTS AND ASSOCIATED EXTRA CARE FACILITIES AND CAR PARKING (SCALE OF DEVELOPMENT ONLY) - ALL OTHER MATTERS INC ACCESS AND SITING RESERVED FOR FUTURE CONSIDERATION, SITE OF VERNON COUNTY INFANT SCHOOL, BULKELEY ROAD, POYNTON, CHESHIRE, SK12 1NW FOR MRS NUALA KEEGAN, CHESHIRE EAST COUNCIL**

(During consideration of the application Councillor W J A Arnold arrived to the meeting)

Consideration was given to the above application.

(The Ward Councillor R E West, Town Councillor L Clarke, a representative from Poynton Town and Nuala Keegan, the Applicant attended the meeting and spoke in respect of the application).

### RESOLVED

That the application be approved subject to the following conditions:-

1. Submission of reserved matters
2. Tree retention
3. Implementation of reserved matters
4. Tree protection
5. Time limit for submission of reserved matters
6. Tree pruning / felling specification
7. Protection for breeding birds
8. Commencement of development
9. Ground levels to be submitted with reserved matters application
10. Decontamination of land
11. Protection from noise during construction (hours of construction)
12. Pile Driving
13. Submission of construction method statement
- 14 Travel plan to be submitted
15. Scale parameters
16. Showering/changing facilities
17. SUDS to be submitted
18. Details of parking etc. to be provided
19. Dust mitigation to be submitted
20. Cycle storage
21. No impact on playing pitch
22. Renewable energy
23. Provision of affordable housing
24. Reserved matters to include fully detailed waste audit
25. Contaminated land
26. Min age 55
27. The requirement for a Landscaping Management Plan in respect of the playing field.

148      **09/2329N - ERECTION OF A REPLACEMENT FOODSTORE (A1 RETAIL) WITH ANCILLARY CAFÉ, ASSOCIATED PARKING, HIGHWAY WORKS AND LANDSCAPING, TESCO, VERNON WAY, CREWE FOR TESCO STORES LTD**

Consideration was given to the above application.

(Mr Gartland the Agent for the Applicant attended the meeting and spoke in respect of the application).

**RESOLVED**

That the application be approved subject to the signing and completion of a Section 106 Legal Agreement to provide a sum of money (£50,000) to be spent on pedestrian and cycle link improvements within the town centre and the following conditions:-

1. Standard Outline – time limit
2. Standard Outline – submission of reserved matters
3. Approved Plans
4. Materials
5. Landscape Scheme
6. Implementation of Landscaping
7. Tree protection measures
8. No works within protected area
9. Surface water regulation system
10. Maximum discharge
11. Sustainable Urban Drainage System
12. Scheme for management of overland flow
13. Incorporation of sustainable features
14. CCTV and speed humps to car park
15. Boundary Treatment
16. Contaminated Land
17. Signage to Town Centre and Heritage Centre
18. Protected Species
19. Limit on comparison goods floorspace
20. No demolition to take place in Jan and Feb
21. Limit on overall floorspace to 5,500spm
22. Details of how the site will be better integrated with the town centre to be provided
23. Details of public realm and design improvements to be provided

149      **09/3380W - EXTENSION TO TEN TEMPORARY GAS DRILLING COMPOUNDS AND TEN PERMANENT OPERATIONAL COMPOUNDS; THE DEVELOPMENT OF TWO TEMPORARY MOBILE DE-GASSING FACILITIES AND THE MINOR EXTENSION OF THE EXISTING GAS PROCESSING PLANT, HILL TOP FARM, HOLE HOUSE, WARMINGHAM, CREWE FOR ENERGY DE FRANCE TRADING GAS STORAGE LTD, 3RD FLOOR CARDINAL PLACE, 80 VICTORIA STREET, LONDON SW1E 5JL**

(During consideration of the application, Councillor Mrs R Bailey declared a personal interest by virtue of the fact that she had been present at a meeting of

Consideration was given to the above application.

RESOLVED

That the application be approved subject to the following conditions:-

1. Standard time condition
2. In accordance with submitted details and to comply with the wider requirements of 7/2008/CCC/15.
3. Restoration of the site upon completion of gas storage
4. Prior to the development of each borehole details of the alignment of the compound required shall be submitted and approved in writing by the Planning Authority.
5. Details of soil handling and storage.
6. Prior to work commencing on any of the compounds details of a restoration and landscaping scheme shall be submitted and approved in writing by the Planning Authority.
7. All landscaping and aftercare shall be incorporated within the sites Environmental Action Plan.
8. Protection for breeding birds.
9. Prior to work commencing on any of the compounds the affected areas shall be resurveyed to establish the presence or otherwise of protected species.
10. Vehicle movements in and out of site shall be in accordance with and not exceed previous permission (CCC15)

150      **P09/3400C - NEW BUILD DEVELOPMENT OF 107 EXTRA CARE APARTMENTS AND ASSOCIATED EXTRA CARE FACILITIES AND CAR PARKING, COUNCIL DEPOT, NEWALL AVENUE, SANDBACH FOR NUALA KEEGAN, CHESHIRE EAST COUNCIL**

Consideration was given to the above application.

(Nuala Keegan, the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be approved subject to the following conditions:-

1. Time limit on outline permission
2. Submission of reserved matters (access, landscaping and appearance)
3. Details of materials to be submitted
4. Drainage and surfacing of hard standing areas
5. Landscaping - submission of details
6. Landscaping conditions - implementation
7. Submission of a scheme for the provision and implementation of a surface water regulation system (SUDS scheme)
8. Submission of a scheme for the management of overland flow from surcharging of the site's surface water drainage system
9. Submission of a scheme to dispose of foul and surface water

10. The following components of a scheme to deal with the risks associated with contamination shall be submitted:

- A contaminated land Phase 1 report shall be submitted to, and approved in writing by the Local Planning Authority (LPA).
- Should the Phase 1 report recommend that a Phase 2 investigation is required, a Phase 2 investigation shall be carried out and the results submitted to, and approved in writing by the LPA.
- If the Phase 2 investigations indicate that remediation is necessary, a Remediation Statement including details of the timescale for the work to be undertaken shall be submitted to, and approved in writing by, the LPA. The remedial scheme in the approved Remediation Statement shall then be carried out in accordance with the submitted details.
- Should remediation be required, a Site Completion Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the first use or occupation of any part of the development hereby approved.

11. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of PPS3 or any future guidance that replaces it. The scheme shall include:

- the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 30% of housing units;
- the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- the arrangements for the transfer of the affordable housing to an affordable housing provider[or the management of the affordable housing] (if no RSL involved) ;
- the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

12. Notwithstanding the details shown on the approved plan a revised parking and turning layout to be submitted, approved and implemented.

13. Construction site to be subject to the following hours of operations

Monday – Friday	8.00hrs	- 18.00hrs
Saturday	8.00hrs	- 13.00hrs
With no Sunday or Bank Holiday working		

14. Details of the method, timing and duration of any pile driving operations connected with the construction of the development hereby approved shall be approved in writing by the Local Planning Authority prior to such works taking place and shall be implemented in accordance with the approved details.

15. No development shall commence until an assessment of traffic noise [and vibration] has been submitted to and approved in writing by the Local Planning Authority. The recommendations in the report shall be implemented in accordance with the approved details prior to the first occupation of the development hereby permitted.

16. Due to the development-taking place amongst residential properties, heavy goods vehicles should be restricted and shall only access the site from 9 am to 5 pm Monday to Friday and 9 am to 1 pm on a Saturday. Therefore prohibiting overnight parking and early morning deliveries so reducing any unnecessary disturbance.

17. No development shall take place until an air quality impact assessment has been submitted to and approved by the Local Planning Authority. The impact assessment shall address the following issues;

- Current air pollution levels around the development site;
- Details of potential sources of air pollutants as a result of development activities;
- Measurable changes (increase and/or decrease) to air pollution concentrations as a result of development activities;

- Comparison of predicted changes in air pollution concentration to current air quality standards;
  - Precise details of any methodology/guidance used in the assessment of air quality impact;
  - Proactive measures to address potential air quality issues where appropriate.
18. No windows in the north gable elevations unless fitted with obscured glazing and no opening lights.
19. Precise positioning of buildings and finished floor levels to be set out on site for inspection and the written approval of the Local Planning Authority.
20. Prior to any commencement of works between 1st March and 31st August in any year, a detailed survey is required to check for nesting birds. Where nests are found in any building, hedgerow, tree or scrub to be removed (or converted or demolished in the case of buildings), a 4m exclusion zone to be left around the nest until breeding is complete. Completion of nesting should be confirmed by a suitably qualified person and a report submitted to the Council.
21. Prior to the commencement of development the applicant to submit detailed proposals for the incorporation of features into the scheme suitable for use by breeding birds. Such proposals to be agreed by the LPA. The proposals shall be permanently installed in accordance with approved details.
22. The reserved Matters application shall contain a detailed waste audit scheme relating to the construction and subsequent use and occupation of the close care apartments and care village, to include details of:
- i the anticipated nature and volumes of waste that will be generated by that phase;
  - ii measures to minimise the generation of waste as a result of demolition, building, engineering and landscape works;
  - iii measures to maximise the re-use of such materials on site;
  - iv. measures to be taken to ensure effective segregation at source of other waste arising during the carrying out of such works, including the provision of waste sorting, storage, recovery and recycling facilities as appropriate;
  - v. measures to be taken to encourage the users and occupiers of the completed development to manage their waste effectively and sustainably, including the provision of;
  - Storage within individual apartments of waste and material for recycling
  - readily accessible community facilities
  - the layout being appropriately laid out to allow for the effective and efficient collection of waste and material for recycling;
  - provisions for monitoring (i) to (v) above and
  - the timing of its implementation
- The measures forming part of the approved scheme shall be carried out in accordance with it.

In addition to the above conditions a further conditions were also agreed as follows:-

1. Submission of a site management scheme prior to the commencement of development
2. Provision of wheel washing facilities
3. A scheme to be submitted and approved detailing measures to ensure that the development meets a minimum of Code level 3 under the 2008 Code for Sustainable Homes
4. The development shall not be commenced until a replacement playing pitch and ancillary facilities have been constructed and made operational in accordance with a scheme to be approved by the Local Planning Authority. The scheme shall ensure that the replacement pitch and facilities shall be at least as accessible and at least equivalent in terms of size, usefulness and attractiveness, quality and management arrangements as the existing pitch and ancillary features.



(The meeting adjourned at 4.00pm and reconvened at 4.10pm).

- 151        **09/3429N - PROPOSED NEW MARINA, FACILITIES BUILDING, WORKSHOP, ASSOCIATED CAR PARKING AND HARDSTANDING, NEW ENTRANCE OFF NANTWICH ROAD AND NEW FARMER'S ENTRANCE TO EXISTING FIELD, LAND OFF NANTWICH ROAD, WRENBURY CUM FRITH, NANTWICH FOR MR P GEARY**

This application was withdrawn prior to the meeting.

- 152        **09/3602N - TWENTY SIX EXTRA CARE APARTMENTS, LAND OFF ROSE TERRACE, CREWE, CHESHIRE FOR WULVERN HOUSING**

(This application was considered after 09/3413M).

Consideration was given to the above application.

RESOLVED

That the application be approved subject to the following conditions:-

1. Standard
2. Materials
3. Surfacing materials
4. Car parking provision
5. Landscape scheme
6. Landscape implementation
7. Drainage details
8. Extra care only
9. Bin storage
10. Contaminated land survey
11. Obscure glazing
12. Approved plans
13. Access and visibility Splays
14. Method Statement for Construction
15. Hours of Construction

- 153        **09/3413M - EXTENSION OF TIME LIMIT FOR OUTLINE APPLICATION FOR BI (USE CLASS) UNITS (06/0278P), LAND TO WEST OF KILN CROFT LANE, HANDFORTH FOR TESCO STORES LTD**

(The above application was considered prior to application 09/3602N).

Consideration was given to the above application.

(Miss H Roper, the Agent for the Applicant attended the meeting and spoke in respect of the application).

RESOLVED

That authority be delegated to the Head of Planning and Policy to approve the application if he is satisfied by 17/01/2010 regarding

- (i) Receipt of adequate information concerning protected species and
- (ii) The form and content of a Unilateral Undertaking under S106 TCPA 1990 which increases the commuted sums towards highway works and other matters secured by the Undertaking attached to permission 06/0278P

In the event that he is not satisfied regarding either of the above matters by 17/10/2010 then the application be refused on grounds relating to either insufficient information on protected species or inadequate highway mitigation works, or both, as appropriate.

(This application was originally recommended for refusal).

154      **PERFORMANCE MANAGEMENT FRAMEWORK**

Consideration was given to the report as submitted.

RESOLVED

1. That the format and content of future performance reports to the Strategic Planning Board be approved.
2. That the proposed Local Performance Indicators as a measure of service delivery be approved.

155      **REPORTING ON PLANNING APPEALS**

Consideration was given to the report as submitted.

RESOLVED

That the future reporting procedures as recommended in paragraph 1.3 of the report be approved.

156      **UPDATE      REPORT      ON      PLANNING      ENFORCEMENT  
PERFORMANCE**

Consideration was given to the report as submitted.

RESOLVED

That the future reporting procedures as recommended in paragraph 5.1 of the report be approved.

157      **APPEAL SUMMARIES**

Consideration was given to the report as submitted.

RESOLVED

That the Appeal Summaries be noted.

The meeting commenced at 2.00 pm and concluded at 4.50 pm

Councillor H Gaddum (Chairman)

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<b>Planning Reference No:</b>	P08/1258
<b>Application Address:</b>	Land off Crewe Road, Basford West, Crewe
<b>Proposal:</b>	Reserved matters for ground works for spine road, drainage, balancing ponds, plot formation, structural landscaping, public art, (with ecological assessment, lighting strategy, construction management plan, flood risk assessment).
<b>Applicant:</b>	Goodman Logistics Development (UK) Ltd
<b>Application Type:</b>	Reserved Matters
<b>Grid Reference:</b>	
<b>Ward:</b>	Rope
<b>Earliest Determination Date:</b>	8 <sup>th</sup> January 2009
<b>Expiry Dated:</b>	12 <sup>th</sup> February 2009
<b>Date of Officer's Site Visit:</b>	29 <sup>th</sup> January 2009
<b>Date Report Prepared:</b>	4 <sup>th</sup> January 2010
<b>Constraints:</b>	Tree Preservation Order on part of the site

#### **SUMMARY RECOMMENDATION:**

**Approve subject to (1) completion and signing of section 106 Agreement to secure the use of the Habitat Management Plan for planting adjacent to the spine road and the submission of an appendix to the Habitat Management Plan including the maintenance of public art, street furniture, litter, control of dog waste and maintenance of ponds as detailed in the report, (2) conditions.**

#### **MAIN ISSUES:**

**Principle of development**  
**Impact of the highway works on highway safety**  
**Impact of ground works on drainage**  
**The need for footpath/cycleway provision**  
**Impact of the proposed landscaping on the appearance of the area.**  
**Impact of the development on residential amenity.**

### **1. REASON FOR REFERRAL**

This application is to be determined by the Strategic Board because the proposal is for more major development exceeding 2 hectares.

### **2. DESCRIPTION OF SITE AND CONTEXT**

The Basford West Development site is that area of land bounded by houses on Crewe Road, Shavington to the west, Gresty Road to the north, the West Coast Main Line to the

east and the A500 to the south. The area comprises 53 ha of former agricultural land. Outline planning permission was granted for employment development in May 2008 and site works have now commenced. The land at the rear of the houses on Crewe Road forms part of the ecological mitigation areas rather than the development site itself.

### **3. DETAILS OF PROPOSAL**

This is the first reserved matters application to be submitted although other permissions have been granted for ecological mitigation works and the construction of an electrical substation. The current application relates to 25.3 hectares of land and is for ground works to prepare the site in advance of building construction. Permission is not sought in this application for any buildings. The application seeks permission for the formation of a drainage network including four balancing ponds on the east side of the spine road, the formation of levels across the site for the construction of the spine road and the first warehouse building (known as plot A). The water course which flows from north to south through the site and adjoining land will be realigned to pass around individual development plots. Another water course through the southern part of the site will be abandoned and water channelled into the water course which was created along the edge of A500 when the road was constructed. Details of the landscape mounds on the western side of the site are also submitted although the formation of these mounds was approved as part of the outline permission.

A letter from the agents confirms that whilst the routes for pedestrian/cycle links from the north eastern end of the site around the rear of the Cheshire Cheese public house and from the south eastern corner of the site to Crewe Road Shavington are shown within the application area defined by the red line, these routes are required under the Section 106 agreement signed in relation to the outline permission for the site and are not reserved matters submitted following the outline permission. The submission also includes a number of documents providing details required to meet either conditions of the outline permission or required under the s106 agreement. These are detailed later in the report.

### **4. RELEVANT HISTORY**

P03/1071 Outline permission for Warehousing and Distribution (B8), Manufacturing (B2), and Light Industrial/ office (B1) Development, Construction of access roads, footpaths, and rail infrastructure importation of soil materials, heavy good vehicle and car parking and landscaping and habitat mitigation including Environmental Statement. Approved (subject to S106) 13<sup>th</sup> May 2008.

P06/1234 Ten Great Crested Newt Mitigation Ponds and associated ecological works. Approved 17<sup>th</sup> January 2007.

P08/0801 Creation of Bat Barn and associated ecological works. Approved 7<sup>th</sup> August 2008.

P08/1054 Substation and associated works. Approved 3<sup>rd</sup> November 2008.

P08/1091 Screening opinion for enabling works (This application) Environmental Impact Assessment not required. 23<sup>rd</sup> October 2008

09/1480N Reserved Matters for B8/B2 unit with ancillary offices, security gatehouse and associated car parking and landscaping. Also reported on this agenda.

## **5. POLICIES**

The development plan for this area includes the North West of England Plan Regional Spatial Strategy 2021 (RSS) and the Borough of Crewe and Nantwich Replacement Local Plan 2011 (LP).

The relevant development plan policies are:

### **Regional Spatial Strategy**

DP1 Spatial Principles  
DP2 Promote Sustainable Communities  
DP5 Managing Travel Demand  
DP7 Promote Environmental Quality  
DP9 Reducing Emissions and Adapt to Climate Change  
RDF1 Spatial Priorities  
W2 Locations for Regionally Significant Economic Development  
RT2 Managing Travel Demand  
RT3 Public Transport Framework  
RT4 Managing the Highway Network  
RT9 Walking and Cycling  
EM1 Integrated Enhancement and Protection of the Region's Environmental Assets  
EM3 Green Infrastructure  
EM5 Integrated Water Management  
EM11 Waste Management Principles  
EM18 Decentralised Energy Supply  
MCR4 South Cheshire

### **Cheshire Replacement Waste Local Plan**

Policy 11A Development and Waste Recycling.

### **Policies in the Local Plan**

NE.5 Nature Conservation and Habitats  
NE.9 Protected Species  
NE.10 New Woodland and Landscaping.  
BE.1 Amenity  
BE.2 Design Standards  
BE.3 Access and Parking  
BE.4 Drainage, Utilities and Resources  
BE.5 Infrastructure  
BE.16 Development and Archaeology  
E.3 Regional and Strategic Employment Allocations at Basford  
TRAN.3 Pedestrians  
TRAN.5 Provision for Cyclists  
TRAN.6 Cycle Routes  
TRAN.9 Car Parking Standards  
TRAN.11 Non- Trunk Roads.

### **Other Material Considerations**

Basford West Development Brief approved by Crewe and Nantwich Borough Council April 2004

PPS1: Delivering Sustainable Development  
PPS 9: Biodiversity and Geological Conservation.  
PPG13: Transport  
PPS25: Development and Flood Risk  
PPS4: Planning for Sustainable Economic Development

## 6. CONSULTATIONS

**North West Regional Development Agency:** The development represents a key opportunity for diversifying Crewe's economic base and tackling areas of high deprivation. The site will provide a flagship development at the southern gateway to the north west, capitalise on rail access, utilise the A500, create a rail linked regional distribution site and take advantage of Crewe's traditional rail and engineering background. The agency supports this application on the basis that it will secure the delivery of the regional development site.

**Strategic Highways Manager:** No highway objection subject to the imposition of conditions in relation to the formation of the spine road and western link and a condition for a temporary signage scheme as required by the Framework Construction Management Plan. The Travel Plan (revision G) meets the requirements of the Section 106 agreement.

The impacts of the whole of the Basford West development on the wider highway network were considered and addressed when the outline application (P03/1071) for the site was determined.

Since the outline approval the applicant has proposed some changes to the layout of the plots and the phasing of the development, these have led to changes in the proposed internal road layout. Generally the alignment of the spine road between its connection to the existing roundabout on the A500 and its connections with Crewe Road to the north and west remain the same. There have, however, been some changes to the internal road layout that serves the eastern side of the Basford West site and at the southern end of the spine road. This has resulted in the removal of the proposed roundabout approximately 170m to the north of the A500 roundabout, the reduction in width of the road from dual to single carriageway between these two roundabouts and the removal of the access road that formed the eastern arm of the roundabout that has now been removed. There have also been some amendments to the accesses serving the individual plots.

The operation of the new configuration of the spine road and its junctions, as proposed by this application, has been assessed in the submitted Transport Statement (updated May 2009) and by additional sensitivity testing. These assessments take account of the restricted floor areas and maximum peak time trip generations as set out in the S106 agreement for the outline approval. The assessments have demonstrated that the proposed layout will operate satisfactorily.

As required by condition 12 of the outline approval, the applicant has submitted detail drawings for the spine road and the connections to Crewe Road with regards to general arrangement, drainage, lighting strategy and levels and contours. These are considered to be acceptable as the basis of the design of the spine road and its connections to Crewe Road but it should be noted that the applicant will have to



submit further detailed drawings and specifications as part of the S278 agreement that the applicant will be required to enter into by the Council as Highway Authority.

The latest submitted Framework Construction Management Plan (FCMP), issue 4 combines phases 1 and 2 of the development. This new combined phase includes the whole of the spine road and the connections to Crewe Road. The new combined phase, however, also includes the development of all the plots except for plots B, D and E and does not make clear the timing of the delivery of the whole of the spine road and its connections to Crewe Road with respect to the development of the plots that are contained within this new combined phase. The Highway Authority's view is that the spine road and its connections to Crewe Road should be provided in the early stages of the development of the site and this is reflected in condition 12 of the outline approval. It is considered that the phasing as now proposed does not necessarily ensure the early completion of the spine road and its connections but that this can be overcome by the imposition of a condition. The FCMP also sets out the principles of how the applicant will seek to control traffic routing and parking associated with the development with the basic principle being that construction traffic, when ever possible, will access the site from the A500. These proposals are considered to be acceptable.

**Highways Agency:** No objections to the application.

**Public Rights of Way Unit:** The development will affect Public Right of Way Shavington cum Gresty Number 2 which becomes Basford Number 11. Suitable crossing points will be required where the development affects the right of way with at least 2m width for the footpath through planting and landscaping. No alterations or change to the surface of the right of way should take place without the appropriate footpath consents.

**Mid- Cheshire Footpath Society:** The proposal is fine. A footpath link along the north east side of the development would be preferable to re-routing this footpath along the spine road which would be much further.

**Environment Agency:** No objections to the proposal following the receipt of additional information. The Flood Risk Assessment addresses surface water drainage issues.

**Natural England:** Extensive Survey work has taken place and a mitigation package has been established for the development site, therefore there are no protected species issues arising out of this application.

**Cheshire Wildlife Trust:** Note that the route of the path at the rear of the Cheshire Cheese has been altered in the amended plans along the northern edge of the permanent mitigation areas which is an improvement on the original proposal but it still interferes with the receptor site. The reason for the need for the route is unclear.

**United Utilities:** No objections to the proposal. The site must be drained on a separate system with only foul drainage connected to the foul sewer. The proposal to discharge the foul drainage to the public sewer near the Cheshire Cheese is satisfactory. Surface water will discharge into the Gresty Brook. All surface water drains must have adequate oil interceptors. Where discharges from yard storage areas might be contaminated by spillage this should connect to the foul sewer. There

are no proposals at present to adopt the SUDS structures. A water main crosses the site and access will be required for maintenance. If the main is to be disconnected or diverted this should be at the developer's expense.

**Environmental Health:** No objections. Accept the amended Lighting Strategy and Framework Construction Management Plan but require a lighting contour plan to be submitted with each individual reserved matters application for the units.

**Basford East and Basford West Action Group (BEBWAG):** Object.

- The Development Brief has a B1 plot on the east side of the spine road at its junction with A500. This proposal will result in a large warehouse on that land and the development should only proceed in accordance with the Brief. The boundaries of the Brief should not be violated;
- BEBWAG understands that the development on the south side of the site will not exceed 12m in height therefore B1 development should be located on the south side to comply with this requirement;
- The development plot will accommodate a B8 unit which is likely to be not less than 18m in height and will not be screened by the proposed screening bunds; Planting will take years to become effective. Deciduous trees do not provide effective screening in winter;
- Public art will not help screen the development
- Rock cages and evergreen planting should be included on the south side to provide a more effective screen. This would also help control noise from the site;
- The drainage plans do not include consideration of water flow from the railway. Gresty Brook floods and the development could make the situation worse;
- The construction of the spine road will cause months of traffic chaos on Crewe Road – Gresty Road where there are already problems with traffic tail backs from South Street to Hunter Avenue. This situation will lead to rat-running through villages;
- Still maintain the stance that warehouses are not the type of development required in Crewe;
- The improvements to the A500 leading to and at Junction 16 of M6 are unlikely to be approved by the Highways Agency;
- There are other empty properties in Crewe which employers could occupy.

BEBWAG comments in relation to the amended plans:-

"Insofar as the plans themselves are concerned, BEBWAG cannot argue that they are wrong or that they do not comply with all laid-down planning regulation. However it never was BEBWAG's concern whether the plans were legally accurate or not it was concern for the fact that this proposal after lying fallow for 15 years or so was still promoted as the way forward by both the former County and Borough Councils for the improvement of the economy and provision of new jobs. Consequently BEBWAG's challenge to this application relate to need and the economy, technology and jobs, the development brief, transport, the developer and the alleged customer other issues and section 97".

-The application infringes the spirit and detail of the Basford West Development Brief in that the zone plans shows that all B2 and B8 development must be away from A500 roundabout with only B1 offices allowed at the sensitive gateway;

-The proposal should include provision for appropriate rail sidings with good rail access for the transshipment of freight between road and rail. This application makes no provision for any rail linkages.

- The proposal should include woodland screening and wildlife habitats along the southern and western boundaries, off-site tree planting and an attractive gateway to the site providing B1 office units both side of the spine road.
- A 3m bund will not provide effective screening
- The large scale warehouse at the southern end should not be here but at the northern and eastern ends of the site.
- The core focus of B8 units should be adjacent to the west coast main line.
- The contents and aspirations of the Development Brief should be adhered to, to the letter unless the Briefs are rescinded by Cheshire East Council.
- The Section 106 agreement requires that the developer complete improvements at Junction 16 of M6 and that there should be no occupation of any buildings until those improvements are completed. The warehouse may then stand empty until these works are completed.
- There is an empty warehouse (built by Prologis) in Crewe.
- Even now without development the Gresty Brook is liable to flood
- Section 97 of the Town and Country Planning Act allows the Authority to revoke a planning permission and this should be used here as there is no need for jobs. The whole area should be re-evaluated for a better uses and in the interests of sustainability.

**Network Rail:** No objections in principle. Network Rail has provided a lengthy list of informatives which have been passed to the applicant's agent.

## **7. VIEWS OF THE PARISH COUNCILS:**

**Shavington P. C.** Comments in relation to the original submission: Object – The development does not match the layout of the Development Brief;

- A B1 development site in the Brief is now occupied by a B8 unit;
- The very tall buildings will not be screened effectively by 3m mounding, reinforced metal cages should be used to give screening mounds more height;
- There is no planting on the south side of A500;
- Deciduous trees will not be effective screens all year round;
- Concerns that the run off will not be managed effectively Gresty Brook already floods and channelling more run off onto the site will compound the problem;
- The rural road infrastructure will not handle the heavy traffic. The proposed new road on the site would not be feeder roads to Crewe, they only serve the industrial development;
- The diversion of the public footpath at the rear of the Cheshire Cheese is inappropriate and will have a negative effect on wildlife and create nuisance for nearby residents. There are other routes which could be more effective.

In relation to the amended plans: note the revisions and comments received from Cheshire East officers.

**Weston and Basford P.C.** Comment on the original submission: No objections in principle but ask that conditions be imposed for the following matters:-

- Reduce the levels at plots A to a suggested 2 meters to reduce the visual impact of the building;
- Include a high level of evergreens in the proposed species for landscaping to improve the effectiveness of screening;

- Basic earthworks and planting be commenced during the next planting season to ensure early establishment of planting;
- Draw up Traffic Management scheme to protect Main Road, Weston and minor roads in Basford and Englesea Brook as well.

No objections in principle to the amended plans but ask that:-

- Plot A be lowered by 2m to reduce the visually harmful effects of the proposed building
  - As well as the effects of noise and light pollution;
- Request a significant amount of evergreens in the planting to provide an effective screen throughout the year. Evergreens would also help to reduce blocked drains arising through leaf litter assisting surface water drainage.
- Basic earthworks and planting should be commenced in the next planting season.
- Request a Traffic Management Plan for Main Road, Weston and minor roads within the locality from construction vehicles.
- A traffic statement should be produced for each detailed development.

**Hough and Chorlton P. C.** Comment on the original submission:-

- Plot A should be reduced in level by about 2m to improve the visual impact and light and noise;
- Include evergreens in the planting;
- Construction traffic should not be allowed through Hough and Chorlton.

In relation to the amended plans:-

- Disappointed at the amount of evergreen in the planting
- Very concerned about the drainage ponds and potential flooding of Gresty Brook;
- Hope that full traffic assessments will be carried out at each phase.

## **8. OTHER REPRESENTATIONS:**

Letters of objection in relation to the original submission have been received from twelve addresses in Shavington, Gresty and Wistaston.

The grounds of objection can be summarised as follows:-

- The proposed route of the footpath behind the Cheshire Cheese public house cuts through two ancient hedgerows, over a badger sett and fox holes which would disturb the wildlife, including Great Crested Newts, badgers and bird life in the area;
- The path would offer little value being no shorter than walking along Crewe Road and the new spine road it would not therefore form a suitable diversion;
- There are electricity pylons in the middle of the proposed route for the footpath;
- The rear gardens of 324-340 Crewe Road would lose privacy as a result of the new footpath and it would increase the opportunity for burglary and vandalism;
- The land for the footpath should be left for wildlife habitat as originally designated in the planning application;
- An alternative route could be formed along the side of the haulage yard to avoid residential properties on Crewe Road and use an existing field entrance or diagonally cross the field. Both would avoid an electricity transformer;
- The proposed footway would form a racetrack for cyclists and motorbike riders;
- The path would be used by dog walkers which will disturb the wildlife;
- Loss of views and devaluation of property adjacent to the footpath /cycleway route;
- The proposed footpath/ cycleway will generate litter;

- Increased noise from use of the footpath/ cycleway affecting residents at nearby dwellings;
- Potential to fall into the ponds;
- If the pedestrian cycle link along Hunters Avenue was deleted from the earlier scheme then the reasons why that route was not acceptable apply equally here;
- The properties adjacent to the proposed route are all bungalows with ground floor bedrooms resulting in loss of privacy;
- The proposed cycle route would not link up with existing cycle routes and conditions are not good for cycling in the area;
- A building at 358 Crewe Road, which is used for dog breeding at the highest standard, is not shown on the submitted plans. Request more free space on the southern side of this dog building. Concerns about the amount of dust and dirt which will be generated by the development.

Representations on the amended plans from 41 addresses (excluding three with no address) in Shavington, Hough, Weston:-

The grounds of objection can be summarised as follows:-

- There are existing empty warehouses in the area; Prologis have built a large warehouse on Weston Rd which is not occupied and there is therefore no need for this building;
- Employment units which will create jobs for graduates or provide skilled jobs to replace those lost at Bentley and Network Rail should be provided;
- The new warehouses will create noise, air and light pollution
- The buildings are too large and will be a huge blot on the landscape;
- Companies are now downsizing and not investing in new premises therefore there is no need for the buildings; they will stand empty till the end of the recession;
- The development will not bring skilled jobs which are needed but unskilled positions;
- Gresty Road is clogged with traffic most of the time and lorries would take short cuts through villages and lanes
- Traffic will cause rat running and lead to more pot holes and flooding of roads especially the rural roads
- Traffic congestion during construction;
- The requirements of the Atkins study which states that "The scale and mix of development is unsustainable from a transportation perspective" have been ignored and the development will result in more traffic in Crewe;
- The Atkins Report then went on to recommend various contributions, £6 million towards completion of Crewe Green Link Road, use of Travel Plans; new footpaths and cycle links, measures to control vehicle numbers under the Travel Plan, and a contribution towards dualling the A500 (Barthomley Link) all of which were part of the Section 106 agreement. Atkins noted that it would take about 10 years to complete improvements to the A500 and Junction 16. Therefore the warehouses will stand empty until such works are completed;
- At rush hour traffic is at a standstill on A500;
- 24 hour working will adversely impact on residential amenities;
- Loss of green fields and open countryside
- Shavington will in effect become built up and linked to Crewe as a result of the development;
- Object to the revised route for the footpath at the back of the Cheshire Cheese;

- The revised route of the pedestrian cycle link is still close to the mitigation ponds which could be subject to vandalism, contamination and damage; an alternative route should be provided
- If however the footpath at the back of the Cheshire Cheese has to be provided then there should be a substantial fence around the ponds (Ponds B1 and B2) at the back of the houses to prevent public access to the ponds, new habitats and planting; a similar fence should also be provided around ponds at site A1 and A2.
- The proposal does not reflect the development brief for the site, the positions of buildings, priority for rail linked units, heights and order of construction do not reflect the Brief;
- The building for the show dogs at 358 Gresty Rd is not shown on the base plan but has been present for 36 years; more air space should be allowed on the southern side of the building
- Hope that adequate provision is made for drainage, so that the development will not result in flooding;
- The area is already prone to flooding and the proposal for rain water run off control are not proven; the Gresty Brook is prone to flooding and the development will result in flooding to gardens in Crewe Road;
- What consideration is given to Agenda 21 and Sustainable development proposals?;
- The platform for the large warehouse will result in a highly visible building;
- The warehouse will be close to residents whereas the Brief stated that higher buildings should be further away from residents;
- The development could be stopped under Section 97 of the Town and Country Planning Act 1990 and the Council should invoke this power;
- All lighting must be positioned so as not to affect residents in Crewe Road;
- Public access to land must be limited to prevent break-ins to the houses in Crewe Road;
- Need for green infrastructure and community facilities.
- Problems of lighting and noise.

## **9. APPLICANT'S SUPPORTING INFORMATION:**

### **Planning Support Statement** (Prepared by Spawforths and dated November 2008.)

The application is for engineering works and therefore a Design and Access Statement is not required. A supporting statement is submitted which is summarised as follows:

- The development includes the construction of the spine road through the site with a 10.5m carriageway from the roundabout at the southern end of the site to the roundabout within the site and a 7.3m carriageway from that point north to its junction with Crewe Road;
- The road linking the existing Crewe Road west of the site to the roundabout within the site will also have a 7.3m carriageway and the intervening section of the existing road will be truncated and converted to a footpath whilst retaining existing services along it;
- Cycleway and footways will be provided on both sides of the spine road behind the a grass verge and a pedestrian cycle link will be provided from the Cheshire Cheese to spine road;
- The surface water regime includes a series of attenuation ponds and swales on land to the east of the spine road which will regulate the flow to the Gresty Brook to ensure that it does not exceed the predevelopment Greenfield rate of run off;
- All plots will drain into the attenuation ponds;

- Foul drainage will be piped by a rising main to the foul sewer close to the Cheshire Cheese public house;
- Landscaping provides strong boundary planting and landscaped bunds to create features between existing dwellings on Crewe Road and the development site, a landscaped boulevard along the line of the spine road, the attenuation ponds provide a further area of landscaping to the east of the spine road and view points through this area will be created with public art used to further enhance the landscaping;
- Gateway features using either public art or buildings will be provided along the spine road to create a sense of place;
- The attenuation ponds will also further enhance the ecological planting which has taken place and the further ecological planting proposed as part of this submission.

### **Flood Risk Assessment** (Prepared by BWB Consulting dated October 2008)

- The built development will be located within Flood Risk Zone 1 therefore neither the sequential nor the Exception test need to be applied to the development;
- There are two water courses through the site, the Gresty Brook to the north and an unnamed water course to the south;
- Modelling shows that the built development lies outside the 100 year plus climate change floodplain of both watercourses;
- Finished floor levels will be raised by 600mm above the fluvial flood levels modelled 100 year plus climate change flood level
- The access/ egress via A500 will provide safe dry access/egress for the 100 year plus climate change event. The second access/egress via the Crewe Road is liable to flood but to passable depths during the theoretical 100 year event;
- Risks from pluvial flooding will be mitigated by raising the level of buildings 150mm above the surrounding ground levels and by ensuring that buildings are not sited in hollows;
- Discharge to the Gresty Brook will be limited to existing Greenfield run off rates;
- Ponds and swales will provide attenuation for run off;
- Run off from hardstandings will pass through oil interceptors prior to entering swales and attenuation ponds.

### **Lighting Strategy** (Prepared by Capita Symonds amended March 2009)

- The document proposes measures to minimise the impact of light pollution especially on residential properties, viewpoints in the surrounding area, night time and also for bats;
- Lighting to the highway will meet the former Cheshire County Council requirements;
- Lighting will have "full horizontal cut off" and comply with the requirements for Environmental Zone E1 in the 2005 Guidance notes for the Reduction of Obtrusive Light by the Institute of Lighting Engineers;
- Lighting will also follow the principles of Bats and Lighting in UK published by the Institute of Lighting Engineers and Bat Conservation Trust;
- Mounting heights will be as low as reasonably practical and for buildings below the eaves level;
- Lamps to be high pressure sodium lights.

### **Landscape Design Statement** Prepared by Barry Chin Associates Ltd dated 9<sup>th</sup> December 2009)

The main points can be summarised as follows:-

- Trees and hedgerows on the western side of the site are retained to screen the development and for wildlife linkages;

- Some trees are subject to a Tree Preservation Order
- In places where trees are to be removed semi-mature trees will be provided as positive landscape elements for long term amenity benefit;
- Strong boundary planting in the form of woodland and thicket planting and landscaped bunding will create a buffer between the development site and the existing residential area to the west and south of the site;
- Species selection will be based on the Basford West Development Brief with some amendments to incorporate species known to be present in the area;
- Boulevard planting to the spine road will consist of advanced nursery stock and ornamental shrub planting against a backdrop of hedges
- Fencing will be 2.4m high paladin high security fencing to service yards and 1.2m high to the spine road frontages where boundaries are softened by hedges.
- To the east of the boulevard planting will be water features which form part of the SUDs drainage scheme. Public access will be provided to a degree in these areas. View points will be created into the planting and ponds developed with an ecological value as well as for flood control.
- This will provide a landscaped setting for the development.
- Street furniture will be provided and public art.
- Subsequent plot development will include planting to site entrances. Car parks will be planted with ornamental species and hedges with trees from advanced nursery stock for immediate impact.
- Plot boundaries will integrate with infrastructure landscaping and wildlife corridors and will include native planting.
- Plot frontages will be predominately ornamental in character with tree lined avenues underplanted by ground cover and medium height shrubs to create a manicured boulevard character.
- Wider areas on site frontages may include native structure planting to add scale and wildlife benefits.
- Species will be similar to those proposed for unit A.
- Planting outside of the area of unit A but within the application area will take place in the first planting season following the completion of construction of the spine road and infrastructure works. Other infrastructure planting for subsequent phases will take place in the first available season following the completion of the infrastructure works. Individual plot planting will take place in the first available seasons following the completion of the plot development.

### **Public Art Strategy** (Spawforths Received 26<sup>th</sup> October 2009)

The main points can be summarised:-

- Landmark buildings will be located at the gateways to the development in three locations, to the west of the spine road as it enters the development site from the north; to the west of the spine road as it enters the site from the south (A500) and to the east of the spine road at the roundabout which is located part way along the spine road;
- In addition public art will also be provided as pieces of sculpture or similar features on the east side of the spine road where it enters the site from A500, on the east of the spine road close to the site of the office block attached to the warehouse at unit A and on the roundabout within the spine road;
- The features at the northern and southern ends of the spine road will create a sense of place and identity on entering the formal boulevard;
- Landmark buildings will be used to represent quality and character of development and will form focal points to important views within the site;



- Further street furniture and smaller works of public art will be used to enhance the landscaped attenuation ponds which will provide a sitting area for employees;
- The varying forms of public art will be set in the wider landscaped setting of the site.

### **Ecological Summary Document** (Middlemarch Environmental Ltd dated October 2008)

This document summarises the position regarding the ecological mitigation. A fully detailed mitigation plan for the land on the north and west side of the development area was submitted and approved under condition 18 of the outline permission at the time when the applicant was making applications for licences from Natural England to relocate protected species.

In summary:-

Great Crested Newt – Surveys identified a “small” population in the area and 10 mitigation ponds were established on land to the west of the development area. Newts have now been translocated. Habitat creation has taken place around the ponds.

Bats – One bat roost was found in a hedgerow tree and another roost in the barns of the former farm buildings. An alternative bat roost was provided in a brick building close to mitigation ponds and bats have been relocated.

Breeding birds – Surveys in 2002 showed the site provides habitats for 21 breeding bird species which include four Red Listed species of high conservation concern: Song Thrush, Reed Bunting, Yellow Hammer, and Lapwing, together two amber listed species of medium conservation value, Mistle Thrush and Dunnock. Other breeding birds seen on the site include Tree Sparrow and House Sparrow from the Red List and Kestrel and Swallow from the Amber List. Vegetation clearance took place in October 2008 outside the nesting season and bird boxes will be provided as mitigation for vegetation lost.

Works are also included in relation to badger habitats.

The maintenance of the mitigation works including ponds, bat barn and the related habits created as well as habitats for breeding birds, are also detailed in the full Ecological Mitigating Strategy. The Strategy also includes surveying for water voles and related habitat maintenance although surveys to date have not found water voles.

### **Habitat Management Plan** (Middlemarch Environmental Ltd updated December 2009)

This document details the maintenance of the various planted habitats including retained trees, newly planted standing trees, newly planted woodland, edge mix and shrub areas, and hedgerows for a 15 year period within the western ecological mitigation areas and the land included in the southern boundary scheme. Annual monitoring review meetings will be held between the developer, their ecologist (Middlemarch) and Whiting Landscapes (who implement the practical ecological and landscape works). An annual habitat and protected species monitoring reports and minutes from the annual management meeting will be presented to the Council.

### **Framework Construction Management Plan** (Prepared by VolkerFitzpatrick Ltd dated December 2009)

The Framework Construction Management Plan (FCMP) includes detailed requirements in relation to Noise and Vibration, Dust, Litter, Waste Disposal, Storage of Fuels, Oils and Chemicals, Washing Down, Water Discharges. In explaining control measures the FCMP

refers to requirements under the following acts:- Clean Air Act 1993, Noise and Statutory Nuisance Act 1993, Control of Pollution Act 1974, Control of Pollution (Amendment) Act 2005, Environmental Protection Act 1990, Building Act 1984, Clean Neighbourhoods and Environmental Act 2005, Prevention of Damage by Pests Act 1949, and various appropriate regulations.

Introductory paragraphs also confirm the following:-

- A separate CMP will be submitted prior to the construction of the highway works and for each phase of the development;
- Properties at 358 and 360 Crewe Road adjoin the site and landscape bund provision will therefore be prioritised in this area first;
- Hours of operation for construction will be Mondays to Fridays 08:00- 17:30 with maintenance refuelling etc permitted from 07:30 provided this is not audible from the site boundary;
- Weekend and bank holiday working will not form part of the standard working week but where necessary will be permissible with prior approval from the Local Planning Authority in conjunction with the Head of Environmental Health;
- Traffic routes will be established with signage to restrict construction traffic from using Nantwich Road, Crewe because of the Air Quality Management Zone;
- Some construction traffic will need to use local roads immediately north of the site during construction of the spine road in order to provide services but this will be kept to a minimum. All tie-in road works will be in accordance with the Department of Transport Code of Practice;
- Site offices and site access will initially be off the existing A500 at the southern end of the spine road
- Once the spine road is completed it will be used exclusively for the development of the plots;
- Signage from M6 will direct traffic along A500 to the junction of the spine road and B5071;
- Signage will be used to prevent construction traffic using roads in Weston, Barthomley, Englesea Brook, Basford and Shavington;
- In the event of an accident on A500 then traffic will be directed by the police.
- Contractors vehicles will be parked on the parking areas within the construction site or land allocated for such purposes not on A500 or local roads.
- Construction will take place essentially in hours of daylight and working hours will therefore be reduced in winter. Task specific lighting may be used for individual operation where natural lighting is insufficient mainly inside new buildings. Any such lighting will be installed to avoid overspill to light areas outside the site;
- Artificial lighting at compounds and office areas will be timer controlled for the arrival and departure of operatives during winter. These will be sodium halide units or similar, fixed to office buildings and pointing downwards to avoid light spillage and distraction to drivers and residents.
- A bi-annual newsletter will be produced by the Project Manager with information for local residents and Parish Councils to provide updates on programming and progress of the project.

## **Transport Statement** (Prepared by Walker Engineering updated May 2009)

Since information for the outline permission was provided the internal road layout within the site has changed. The revised TS is provided to demonstrate that the changes to the road layout which include the removal of the southern roundabout within the site and loss of a section of dual carriageway will not adversely affect the flow of traffic through the site and at the junction of the spine road and A500.

At the time of the submission of the outline application transport information was based on predicted traffic flows. The current submission takes account of actual traffic flows on A500 and predicted traffic growth including the development of Basford East. It demonstrates that the junction at the central roundabout on the spine road, ghost island priority junctions, simple priority junctions and the junction of the spine road with A500 at its southern end will all function within capacity at 2020 without the need for improvements both with and without the proposed development in place. The report concludes that the modified spine road can accommodate the traffic from the development.

### **Interim Umbrella Travel Plan**

The Section 106 agreement sets a maximum limit of 861 trips per day (defined as the maximum trip threshold) to be generated by incoming traffic in the morning and outgoing trips in the evening peak periods which are defined as 0800-0900 hours and 1700-1800 hours.

The S106 agreement imposes Agreed Trip Rates which are used in the Interim Umbrella Travel Plan to identify the trip rates for B1, B2 and B8 uses per 100 sq m gross floor area.

The outline permission imposed maximum floor areas for B1 (4,645 sq m), B2 (18,580 sq m) and B8 (120,770 sq m) in order to limit the amount of traffic generated by the development site.

The Agreed Trip Rates are below the figures identified in the Atkins report as expected trip rates and therefore the Travel Plan includes measures for monitoring and managing the trip rates to achieve the levels required by the S106 agreement.

The Interim Umbrella Travel Plan will be replaced by the Umbrella Travel Plan which is to be submitted within 6 months of the occupation of any part of the development and will when approved replace the Interim Umbrella Travel Plan.

The Interim Umbrella Travel Plan includes requirements for the owner to establish a Travel Plan Steering Group, and a Travel Plan Management Organisation together with a Travel Plan Co-ordinator who shall be responsible for the day to day operation and monitoring of the Travel Plan.

The Interim Umbrella Travel Plan identifies a number of "Reasonable Measures" which shall be used to reduce vehicle trips. These include promotion and the use of literature to encourage walking, cycling, car sharing and the use of public transport.

In the event that monitoring shows that the number of trips generated exceeds the Maximum Trip Threshold, or any lower threshold established through an Interim Travel Plan, then "Reasonable Sanctions" will be used to require compliance with the limitation in force. In the event that this is not effective then any further applications for development will be refused.

Freight movements are included in the Travel Plan and the option to develop a Freight Management Strategy for the site is also included.

## **Tree Survey**

-The submission includes a full tree survey and details of protective fencing to be provided around retained trees. A number of trees have already been removed but the submission ensures the retention of trees and the hedgerow on the western boundary of the development site and within the mitigation area between the houses on Crewe Road and the development site.

-A Tree Protection Order has been placed on certain trees within the mitigation zone and one tree protected under the order dropped a limb during the summer of 2009. An inspection by one of the Council's landscape officers confirmed that the damage from this meant that the tree should be felled but the main trunk retained for wildlife benefits.

## **10. OFFICER APPRAISAL**

### **Documents submitted**

As stated above the application includes a number of documents some of which are required under the Section 106 Agreement and some are required under the outline permission. The requirements are as follows:-

#### S106

Mitigation Scheme and Habitat Management Plan for the permanent mitigation areas as defined by S106 agreement  
Interim Umbrella Travel Plan

#### By condition of the outline permission P03/1071

Condition 13 - Landscaping for spine road to include details of planting, street furniture and public art to be submitted before construction of the spine road commences.

Condition 15 - Principles of structure planting for whole site together with a timetable for the implementation to be submitted with the first reserved matters application for the development.

Condition 18 - Ecological mitigation details for each phase to be submitted with the first reserved matters application for each phase.

Condition 19 - Structure Planting details for each phase to be submitted with the first reserved matters application for that phase.

Condition 20 - Noise assessment and noise mitigation to be submitted with each reserved matters application for B1, B2 and B8 units.

Condition 24 Archaeological Survey and a report of findings. This has been submitted and approved in writing under the condition prior to consideration of this reserved matters submission.

Condition 27 – Scheme for surface water regulation to be submitted prior to the commencement of development.

Condition 33 – Framework Construction Management Plan prior to the commencement of development and submission of Construction Management Plan with first reserved matters application for each phase to cover that phase.

Condition 34 - Flood Risk Assessment for whole site to be submitted with first reserved matters application for an employment unit.

Condition 36 – Lighting strategy with first reserved matters application of each phase.

Condition 37 – Details of new water course to be submitted with first reserved matters application for phase 3.

These submissions are in addition to conditions requiring highway improvements in relation to Junction 16 of M6 and A500, driver overnight facilities, parking, cycle parking, waste separation and storage etc.

The details required under the Section 106 Agreement and the conditions specified above are matters which would normally be approved by officers in consultation with the appropriate technical expertise. However the documents are submitted with the reserved matters application and therefore are referred to in the text below where appropriate.

### **Principle of Development**

Outline planning permission was granted in May 2008 following the signing of a legal agreement which secured a number of highway mitigation measures, ecological and landscape mitigation measures and the connection of the site to the adjoining railway for rail served unit(s). PPS4: Planning for Sustainable Economic Growth has been issued recently (January 2010) and seeks to provide jobs and promote sustainable economic development. The outline permission and S106 agreement together provide for the development of this regional development site in a sustainable manner and in line with the principles of the new PPS4.

The objections to the principle of the development raised by BEBWAG and residents do not therefore fall to be considered in this reserved matters application because the principle of the development has already been established by the grant of outline planning permission. The concerns that the Highways Agency/ Highway Authority will not approve a scheme for the construction of an eastbound lane on A500 approaching the motorway and related improvements at the junction is not a valid reason to refuse the application. These works are required both by condition of the outline permission and as a requirement of the Section 106 agreement. The works to widen the carriageway and provide an additional lane on A500 approaching the M6 have been agreed in principle. Negotiations are continuing between the developer and the Highways Agency to complete the submissions and agree a scheme for the necessary improvements for Junction 16 of the M6. These will need to be agreed before development allowed by the outline permission commences and be completed before the first warehouse unit is occupied.

As stated in representations the Atkins Report entitled "Basford Regional Investment Site - Transport Planning Delivery Strategy for Comprehensive Development" did conclude that *"The scale and mix of development put forward in the (Basford East and Basford West) Development Briefs is unsustainable from a transportation perspective"*. However the study went on to propose a comprehensive mechanism for delivery of both the Basford West and Basford East sites. That work resulted in a further study entitled "Transport Implications Associated with Basford West". Those studies were used to inform the package of improvements and commuted payments required by the Section 106 Agreement for the Basford West development site. The submission of the reserved matters application is made on the basis that these requirements will still be met.

The Basford West Development Brief includes an illustrative layout which shows B1 units both sides of the spine road at its junction with A500. The original plans submitted with the outline application included a B1 unit close to the spine road on its eastern side at the junction with A500 and a warehouse unit on the western side. However as a result of an ecological need to connect the habitats created on the south of the site with those on the west of the site, the Section 106 agreement required the extension of the southern

boundary scheme planting on the east of the spine road. The current application does not propose a B8 warehouse on the east side of the spine road immediately adjacent to it, where the B1 use is shown in the Brief. This area is actually included in the area for the formation of the balancing ponds and public art. The B1 office accommodation is now to be provided on the western side of the junction of A500 with the spine road.

The Development Brief required a relatively small amount of B1 development at Basford West because this site is allocated in the Regional Spatial Strategy and Crewe and Nantwich Replacement Local Plan primarily for regional warehousing and distribution uses. Basford East is the site which includes more B1 development. The Basford West outline permission allows for 4,645 square metres of B1 development which is to be sited on the west side of the spine road. The fact that the reserved matters application does not meet the requirements of the Zoning Plan in the Development Brief is not sufficient grounds to justify refusal of the reserved matters application. The outline application did not include proposals for balancing ponds adjacent to the spine road, at the time that application was submitted in 2003, because the need for sustainable drainage schemes did not carry the importance it now does. PPS 25 published in 2006 changed the approach to sustainable drainage. The gateway features at the entrance to the site will now include office development on the west side of the spine road and a landscaped setting with balancing ponds and public art on the east side of the site.

Condition 5 of the outline permission requires that the development be completed in accordance with the phasing of the outline permission unless otherwise approved in writing by the Local Planning Authority. The outline application included phases 1 and 2 as separate phases of development. This reserved matters application brings forward phases 1 and 2 together and the proposed development platform for plot A, which is included in this application, straggles the two phases. However the applicants have produced the necessary ecological mitigation strategy and full landscaping proposal are included with the application. There are therefore no objections to the delivery of phases 1 and 2 together and the development of one enlarged plot for a warehouse in principle. The developer will also comply with the requirements regarding off-site highway matters and related highway commuted payments in the Section 106 agreement. The details of that warehouse unit are the subject of a separate reserved matters application and are not for consideration in this report.

Condition 21 of the outline planning permission requires that all development on the southern side of the site adjacent to the A500 should not exceed 18m in height and the applicant has confirmed that the proposed development at Plot A will comply with this condition. This application includes the formation of the platform for Plot A but not the details of the building on that plot (see 09/1480N on this agenda). The ground level will be raised at the northern end of the plot by 2m but will correspond with existing ground levels at the southern end to provide a level platform for the development. Whilst requests are made in consultation responses for this platform to be lowered the level of the building cannot be lowered further because of the need to minimise the risk of flooding.

The comments by BEBWAG submitted after the consultation exercise on the amended plans relate to the principle of development. These matters do not fall to be considered in the determination of this reserved matters application and therefore have not been included in detail in the summary of consultation replies and are not addressed in this report. Those issues were considered in the report on the outline planning application

considered by the Borough of Crewe and Nantwich Development Control Committee in 2007.

BEBWAG refer to the rail link not being part of this application. The outline application proposed that the rail link be provided as Phase 3 development. This application relates to phases 1 and 2 only. The provision of a rail link is secured in the Section 106 agreement.

BEBWAG ask for the permission to be revoked under Section 97 of the Town and Country Planning Act 1990. This power allows a Local Planning Authority to revoke a permission if it is expedient to do so. It goes on to state that the Authority should have regard to the development plan and any other materials considerations. The Development Plan comprises The North West of England Regional Spatial Strategy to 2021 and the Borough of Crewe and Nantwich Replacement Local Plan 2011. The North West of England Regional Spatial Strategy dated September 2008 recognises Crewe as a growth town under policy RDF1 and Basford is specifically seen as a major economic development site under policy MCR4. The site is also included in the Regional Economic Strategy. The Inspector at the Local Plan Inquiry for the current adopted Local Plan (The Borough of Crewe and Nantwich Replacement Local Plan 2011) in his report dated November 2003 addressed the need to reconsider Basford East and Basford West as allocated employment sites. He concluded that the allocations represented long established commitments at all levels of the planning system and with the completion of A500 and roundabouts to access the development areas objections seeking to reverse the allocations of employment land could not be supported.

Since that time outline planning permission was been granted for Basford West in May 2008. Ecological works including the construction of Great Crested Newt mitigation ponds, the formation of habitat areas with planting around the ponds and the construction of a bat barn have taken place. Great Crested Newts and Bats have been moved and a substation has been constructed. An archaeological investigation has taken place and the site for phases 1 and 2 of the development have been cleared. There have therefore been a considerable number of works which have taken place to progress the delivery of this site and it would not therefore be expedient to now revoke the outline permission.

Whilst residents do not wish to see the site developed for warehouses and consider that the need for warehouses is not what it was when the site was first allocated the provision of the development complies with the adopted Development Plan and the uses proposed are consistent with the adopted Development Brief.

### **Drainage Works**

The application includes the creation of a series of balancing ponds and swales (water channels) to the east side of the spine road. These will collect and control the surface water run off from the future development. Hydraulic modelling of the two local water courses show that the built development lies outside the 100 year plus climate change floodplain for both water courses. Finished floor level of buildings will be raised a minimum of 750mm to protect against risk from both pluvial and fluvial flooding in the event of heavy storms. The Environment Agency having considered the detailed flood risk assessment raises no objections to the application. Ponds will be constructed to a depth of just over 2m. The outflow will eventually run into Gresty Brook and the flow of water will not exceed the green field run off rate which has persisted over recent years.

Foul water will be collected and drained to a point in the vicinity of the roundabout part way along the spine road and pumped from here to the foul sewer at the rear of the Cheshire Cheese public house where there is capacity in the system to take the flow in the sewer as long as the surface water from the Cheshire Cheese is taken to the surface water run off system for the new development.

The cut and fill model proposed ensures that excavations on site for the formation of ponds and to achieve the necessary highway and building levels across the site of the reserved matters application will not require additional material to be brought onto the site. It will be necessary to grade the level of the spine road to increase height over the existing ground levels at the roundabout part way along the spine road by nearly 3m. From the roundabout the levels will grade down to the existing ground levels in all directions.

Top soil on site will be reused to form the screening and landscaping bunds and no additional material will be needed for their formation.

### **Footpath/ Cycleway Provision**

The Section 106 Agreement signed in relation to the outline planning permission, requires the provision of a pedestrian cycle route on land at the rear of the Cheshire Cheese public house. This is not the diversion of the statutory right of way which passes through the site. It is required as part of the highway mitigation package to make the site more accessible to residents of Crewe. The introduction of a new pedestrian/cycle link will enable people to walk or cycle from residential areas around Davenport Avenue, Clough Walk and the Crewe South Ward in general and help to reduce the dependence on the car as a means of access to the site. There are also other similar measures to improve pedestrian and cycle access to the site including the introduction of a route the south of the dwelling at 248 Crewe Road Shavington. As stated at the commencement of this report, these two linkages are requirements of the Section 106 agreement and not strictly part of this reserved matters submission.

Residents object to the line of the proposed pedestrian/ cycle route which extends from the spine road to the rear of the Cheshire Cheese. The objection initially related to the route which passed at the rear of houses on Crewe Road, Shavington. The amended route takes a line around the east and north side of the Great Crested Newt Mitigation pond. The amended route comes within about 27m of the rear garden to 330 Crewe Road, Shavington. The agents have accepted that a fence can be provided around the pond and across the end of land between the pond and the rear of properties in Crewe Road in order to prevent people wandering off the route and having relatively easy access to private rear gardens. With the proposed separation area which will be retained as part of the mitigation land it is not considered that the line of the pedestrian cycle route is so close as to be detrimental to residential amenities at dwellings in Crewe Road. Under such circumstances there are no objections to this proposed route.

Other parties raise concerns about the impact of this route on the ecological mitigation measures provided. However as with any application of this scale there is a need to balance the requirement to provide ecological mitigation with the requirement to provide pedestrian and cycle links to areas where people are living. Bearing in mind the presence of a substantial number of dwellings in the Crewe South Ward there is certainly a need for a pedestrian cycle link on the land generally located at the rear of the Cheshire Cheese, which is why it is requirement of the Section 106 Agreement. The Agreement



requires that the owner pay a commuted sum for the cost of this work to the former Cheshire County Council for completion of the works.

Case law shows that the diversion of the public right of way which passes through the eastern part of the Basford West site from 358 Crewe Road to the A500 cannot be considered until such times as all the reserved matters permissions are in place.

Under the circumstances there are no objections to the proposed routes for the pedestrian/ cycle routes.

### **Highways**

As stated by the Strategic Highways Manager the highway issues were fully considered in the determination of this application and package of measures required by the Section 106 agreement were designed to mitigate the effects of development on local roads, junction 16 of M6 and A500 approaching junction 16. That package of measures includes commuted payments towards the Crewe Green Link Road South, public transport, Traffic Management and Regulation Orders (to control traffic in villages and residential areas of Crewe) and a contribution towards footpath and cycle way improvements to the site. The outline permission included full details of the construction of the spine road and its western link to Crewe Road. Condition 12 of the outline permission approved the submitted drawings but required full details of widths, levels, drainage and lighting to be submitted for approval. This application proposes variations to the road details approved under that outline permission principally the removal of the roundabout towards the southern end of the spine road and the removal of the dual carriageway between that roundabout and the roundabout on A500. In addition the outline application included a loop road within the development site. The loop has by the removal of the southern linkage been reduced to a single road access to serve the southern and eastern parts of the site not served by the spine road.

A Transport Statement has been submitted to support the application and additional sensitivity testing completed. The Highway Authority are now satisfied that the removal of the southern roundabout on the spine road and section of dual carriageway with adjustments to the entrance points to access development plots will not adversely affect the free flow of traffic on the highway.

The Framework Construction Management Plan includes provision for wheel washing facilities although since earthmoving will be retained within the site it is not considered that wheel washing facilities are likely to be required. This is because the earth moving vehicles will not use public roads. In addition deliveries to the site will be over a roadway constructed with clean granular fill which will clean the wheels and monitored by the Project/ Site Manager. However the Framework Construction Management Plan also provides for a hired road sweeper to clean local roads until such time as the temporary traffic management scheme is removed.

The highway works include the closure of the existing line of Crewe Road to vehicular traffic although a service access will be retained for the utility companies to access the existing services in the road. A condition should be attached to the permission to achieve this immediately following the opening of the new spine road and its western arm.

## Landscaping

The Tree survey identifies the trees to be retained and the accompanying plans detail measures for their protection. These have been put in place. The submitted landscaping scheme details the planting both sides of the spine road, the formation of ponds on the east side of the spine road, planting along the southern boundary of the site adjacent to the A500 and additional planting in the western mitigation areas. This is secured through the Section 106 agreement and conditions of the planning permission. In relation to landscape planting on the western side of the site this has been secured through the outline planning permission, separate planning permission for the provision of Great Crested Newt mitigation ponds and related planting. A Habitat Management Plan for all these areas is submitted with the proposals.

Whilst the proposed southern mound adjacent to the A500 is only 3m high to increase the size of the mound substantially by the use of gabions or other techniques would reduce the chances of planting becoming established on it and the mound itself would look very artificial. The mound complies with the principles of the Development Brief. It is not intended that it will screen out the development at the time of the initial construction but that over a period of time the mound with the planting will become established and assimilated into the landscape. All the mounds around the site are to be formed using topsoil on the site to reduce the need to import material and reduce transport movements. Tree species include native trees as required by the Development Brief. Parish Councils request additional evergreen trees to increase screening in winter. However the proposed planting includes an edge mix of hazel, dogwood, willow and guelder rose with a central area of woodland planting including silver birch, ash, hawthorn, cherry and oak as well as privet, willow and hazel. Within the woodland mix individual conifers with oak and field maple will be planted. The landscaping is designed to produce a natural mixture which will promote wildlife and increase biodiversity as well as screening the development from the south. The inclusion of additional evergreen is not therefore recommended by landscape architects.

The planting on the spine road includes a boulevard of trees. To the west of the spine road this is set within a hornbeam hedge with additional shrub planting to the road frontage. At the northern end of the spine road on its eastern side the boulevard is similarly set within a hedgerow with shrub planting to the front. Further south where the planting widens out to accommodate the water storage ponds the hedgerow is not present but additional shrub planting gives way to mixed shrub planting with some trees. Amenity grassland between the ponds and the shrub mix includes a footpath for access and use of the area. The ponds are located within the grassland and whilst the primary requirement is for water storage to control the flow of surface water from the site, they also provide amenity areas. The water margins are planted. Amended plans have taken on board the need to ensure that the edges of the ponds are not too steep to present a hazard to people using the area. Between the ponds and the development site which is for Unit A, the edge mix planting includes more individual trees and a slightly different shrub / edge mix.

The northern most storage pond is rectangular in shape and the applicant has been asked to give the area a more natural appearance. However because this is the northern most pond for storage of run off before the water enters the Gresty Brook and will include run off from all three phases of the development site this needs to have a large capacity. The requirements of the Flood Risk Assessment do not allow the pond to be reduced in capacity and the position of the spine road, railway and proximity of the Gresty Brook to

the north do not allow for increased size of this pond. To the south is the proposed access point to a development plot adjoining the railway land. The applicant has therefore increased the landscaping at this part of the site to improve screening around the pond.

The planting in the western and northern ecological mitigation areas is supplemented by landscaping mounds planted with an edge mix, woodland mix and individual trees. This provides additional landscaping as required by policy NE.10 of the Borough of Crewe and Nantwich Replacement Local Plan. That policy requires woodland planting over land to the west and north of the development site. The Inspector in his report following the Local Plan Inquiry considered that this area could accommodate Great Crested Newt ponds and wildlife mitigation measure as well as creating a woodland buffer between the dwellings in Crewe Road and the development site. Some woodland and shrub planting has already been provided over limited areas when the ponds were provided. The Applicants Ecologist and Natural England did not wish to see extensive areas of woodland planting which would overshadow the ponds in this area and create conditions in the ponds which were considered detrimental to the use of the ponds by Great Crested Newts. The proposed arrangement for the planting is therefore a compromise position which allows for some woodland planting to screen the development site whilst providing conditions favourable for ponds which will be used by Great Crested Newts.

A Habitat Management Plan is submitted as a requirement of the Section 106 agreement. This provides schedules of the maintenance regime for the various planted areas included in the outline application. The planting along the spine road was not part of that requirement and the applicant has agreed to sign a deed of variation of the S106 agreement to ensure that the Habitat Management Plan is applied to those areas of planting adjacent to the spine road and around the water storage ponds. This makes provision for the maintenance of the planting for a period of 15 years with a requirement to agree further maintenance measures at the end of that time. However the Management Plan submitted does not include details for the maintenance of public art, street furniture and other items provided in this area. An appendix or addendum to the Habitat Management Plan is required specifically to secure a management and maintenance regime for the public art, street furniture including seating, fencing, access gates, barriers or other means of control, litter picking, control of dog waste, litter bins, dog waste bins, hard surfaces including paths and any related waymarking and maintenance of ponds and culverts, particularly in terms of cleanliness and safety (where these are provided). Since the details of the public art and street furniture have not been agreed yet this document may need to be provided in stages. The first stage would be required prior to the completion of the landscaping scheme and would include hard surfaces, maintenance of ponds, culverts and fences since these details are included in the landscaping scheme. Details of other items not shown on the landscaping scheme shall be submitted to the Local Planning Authority and approved in writing prior to the provision of that item (eg public art, street furniture, litter bins, dog waste bins etc). In terms of items such as waymarking, gates, barriers and means of control these may be required in due course as the site develops and patterns of use are established or may be required once the footpath diversion is determined. The applicant has agreed to sign a deed of variation to implement the Habitat Management Plan for the planting on both sides of the spine road (including the planting around the water storage ponds) and to provide an appendix to the Habitat Management Plan to secure a management and maintenance regime for the additional items specified above.

The Development Brief allows for buildings up to 18m in height for B8 warehouse unit on the south side of the site and the illustrative layout in the Development Brief shows a warehouse located immediately east of the office block referred to above and north of the A500. The outline permission established a phasing of the development with phase 1 including the construction of the spine road and the warehouse unit adjacent to the A500. The reserved matters application is now proposing to bring forward phases 1 and 2 together. To provide a warehouse unit of this size at the northern and eastern end of the site would be to provide the phase 3 development early on the scheme. Although the warehouse unit is large it does not conflict with any of the conditions of the outline permission.

Condition 13 requires that a fully detailed landscaping scheme including street furniture and public art be submitted. A public art strategy has been submitted which explains that landmark buildings will be sited at three focal points on the spine road and large scale public art will be provided at another three strategic points along the spine road. Examples of appropriate street furniture are included in the Landscape Design Statement. It is proposed that the public art strategy be developed further by public consultation particularly through the local primary schools to coordinate ideas and themes which can then be designed into the public art. The Council's Public Arts officer is able to coordinate such activities. However the ultimate delivery of the public art is the responsibility of the developer. It is recommended that a condition be attached to the reserved matters approval for a timetable for the development of the public arts strategy including the provision of street furniture with dates for the provision of the public art and street furniture be submitted for approval in writing. The delivery of the larger scale works of art will require the submission of reserved matters applications. The landmark buildings being employment buildings will be delivered as part of the combined phase 1 & 2 development.

### **Living conditions**

The dwellings closest to the development site are those at 358 and 360 Crewe Road. Screening mounds are proposed around these two bungalows and planting has been modified to ensure that the planting provides some screening without unreasonably overshadowing the rear garden areas. The resident at 358 notes that the outbuildings used in relation to the keeping of dogs are not shown on the submitted plans. However these outbuildings are outside the application site and it is not considered that the revised landscaping proposals will result in unreasonable overshadowing of his property. It is however considered important to include some planting around these two bungalows to ensure some separation between the dwellings and the adjacent development plot. The planting proposed in this area includes an edge mix of hazel, dog wood, willow and guelder rose with a small number of silver birch, field maple and alder planted as feathered trees. Whilst there will be some disturbance to residential amenities at these two dwellings whilst the screening mounds are formed and tree/ shrub planting takes place this is unavoidable. The Framework Construction Management Plan proposes that individual Construction Management Plans be submitted prior to the commencement of highway works and for each phase of development. The need to pay special attention to works close to these dwellings to minimise impact can be addressed through this report.

The dwellings at Greenbank Farm are separated from the development site by the presence of the ecological mitigation area and some additional planting. Similarly the dwellings on Crewe Road are also separated from the development site by the ecological

mitigation areas and new planting. It is not therefore considered that the ground works proposed will adversely impact on residential amenities in these areas.

The Framework Construction Management Plan submitted provides the details under which the site will be developed and includes provision for hours of working to be 08:00-17:30 Mondays to Fridays with maintenance and refuelling being permitted from 07:30 hours subject to the requirement that it is not audible at the site boundary. It also includes provision for weekend working and bank holiday working to be agreed separately by the Local Planning Authority in conjunction with the Head of Environmental Health. The details of the Framework Construction Management Plan are summarised earlier in this report and provide for traffic routing and signage to prevent construction traffic using local roads through villages. Whilst the spine road is under construction most of the construction traffic will gain access from A500 however that construction traffic specifically providing the service connections to Crewe will need to gain access from the north via Crewe and Nantwich Road area. As stated above the Framework Construction Management Plan proposes that Construction Management Plan be submitted prior to the commencement of highway works and prior to the commencement of development for each phase and this can be subject to conditions.

The Lighting Strategy provides the principles for lighting the site and includes measures to minimise light pollution from the site. Individual lighting plans will need to be submitted for each unit to be developed. However with the principle of minimising light spillage and the distances between the existing dwellings and the development plots there should be no adverse impacts on residential development as a result of lighting.

### **Protected Species**

The mitigation works proposed and implemented mean that there are no further such issues arising out of this application. Whilst the proposal includes the line of the pedestrian/ cycle route through the area of ecological and landscape mitigation land at the rear of the Cheshire Cheese this is necessary for reasons of sustainability. The principle of providing a cycle and pedestrian route to the Crewe South Ward area is a requirement of the Section 106 agreement. It is part of a package which includes financial contributions for public transport links as well as improvements for cycle and pedestrian links. The provision of improved cycle and pedestrian routes to areas where people live is as important as providing suitable ecological mitigation measures. There are a total of ten new mitigation ponds spread over 5 areas on land to the west of the development site. Whilst in this one location the pedestrian/ cycle link is close to the ponds the other four areas remain unaffected. English Nature is aware of the proposals and raises no objections. The badger sett referred to in representations has been closed and relocated elsewhere. It is not considered that the proposed cycle/ pedestrian route will have significantly adverse effects on wildlife mitigation.

A Habitat Management Plan is submitted as a requirement of the Section 106 agreement. This provides schedules of the maintenance regime for the various planted areas included in the outline application. It also includes provision for annual feedback to the Council in relation to habitat management and protected species surveys.

### **Other Matters**

The Cheshire Replacement Waste Local Plan requires that development make provision for the source separation and storage of waste in new development. Provision is made

within the Framework Construction Management Plan for the control of litter during construction.

## **11. CONCLUSION**

The proposed contouring of the site for the formation of the spine road, to create a drainage system through the site and to provide a platform for the development of the first warehouse unit will comply with the principles of the Basford West Development Brief and the requirements of policies E.3 (Regional and Strategic Employment Allocations at Basford) and NE.10 (New Woodland Planting and Landscaping) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

The re-grading of the land will not adversely impact on any dwellings near to the site. The proposals include appropriate landscaping and mounding to establish a landscaped setting for future development at the site based on the principles of a spine road located within a boulevard and a landscaped water storage area to the east of the spine road. The proposals also include the provision of public art strategy which will be addressed further as development proceeds to create a sense of identity. Additional planting in the western mitigation area will provide a suitable woodland screen between the development site and the dwellings in Crewe Road. Planting and the provision of ponds on the southern side of the site in the area known as the southern boundary scheme will provide a landscaped setting to soften the impact of the development from the south and provide connectivity for wildlife habitats.

The proposed modifications to the spine road will not adversely impact on highway safety and will ensure that appropriate capacity is provided on this road which will become a major approach to the centre of Crewe.

## **12. RECOMMENDATIONS**

**Following the completion and signing of a deed of variation to implement the Habitat Management Plan for the planting on both sides of the spine road including the planting around the water storage ponds and to provide an appendix to secure a management and maintenance regime for the public art, street furniture including seating, fencing, access gates, barriers or other means of control, litter picking, control of dog waste, litter bins, dog waste bins, hard surfaces including paths and any related waymarking and maintenance of ponds and culverts, APPROVE subject to the following conditions:**

- 1. Plans**
- 2. Implementation of landscaping**
- 3. Fencing to side of pedestrian cycle link in the vicinity of mitigation ponds.**
- 4. Fencing to Great Crested Newt Mitigation ponds in southern boundary scheme.**
- 5. Implementation of scheme for control and storage of surface water prior to the occupation of any building on the site, excluding substation and bat barn.**
- 6. Oil interceptors to hardstandings.**
- 7. Site to be drained on separate system with only foul drainage connected to foul sewer at the Cheshire Cheese.**

8. Any discharges from yard areas which are contaminated by spillage should be connected to the foul sewer.
9. Permission for contouring of the land in accordance with the submitted details.
10. Samples of surface materials for use on paths in water storage areas and along southern boundary scheme.
11. Lighting strategy to be used to inform lighting proposals at each individual plot. Details of lighting at each plot including a lighting contour plan to be submitted with all application for new buildings.
12. Implementation of tree protection measures.
13. Implementation of Landscape Design Statement to inform landscaping of future plots.
14. Timetable and strategy for the delivery of the public art strategy including street furniture within the landscaped water holding areas east of the spine road to be submitted approved and implemented.
15. Samples of fencing material.
16. Framework construction management plan to be used as principles for construction management plans for whole site.
17. Construction Management Plan for highway works including formation of mounds to be submitted approved and implemented.
18. Construction Management Plan for phase 1 development to be submitted approved and implemented.
19. Construction of spine road and its western connection shall be completed and available for use prior to the occupation of any development on the plots.
20. Scheme for temporary highway signage as required by Section 2.3 Framework Construction Plan to be submitted approved and implemented prior to the commencement of development.
21. Closing of existing line of Crewe Road to all traffic except statutory undertakers/ service providers.
22. Implementation of Ecological Summary Document to whole Basford West development site.

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<b>Planning Reference No:</b>	09/1480N
<b>Application Address:</b>	Basford West Development Site, Crewe Road, Shavington-cum-Gresty, Crewe
<b>Proposal:</b>	Erection of a Building for use within Class B8, use Class B2 with ancillary offices, security gatehouse and associated car parking and landscaping.
<b>Applicant:</b>	Goodman
<b>Application Type:</b>	Reserved matters
<b>Grid Reference:</b>	
<b>Ward:</b>	Rope
<b>Earliest Determination Date:</b>	15 <sup>th</sup> July 2009
<b>Expiry Dated:</b>	31 <sup>st</sup> August 2009
<b>Date of Officer's Site Visit:</b>	7 <sup>th</sup> September 2009
<b>Date Report Prepared:</b>	4 <sup>th</sup> January 2010
<b>Constraints:</b>	Basford West Employment allocation, new woodland planting and landscaping, non-trunk road development.

#### **SUMMARY RECOMMENDATION:**

**Approve subject to (1) completion and signing of section 106 Agreement to secure the use of the Habitat Management Plan for planting adjacent to the spine road and the submission of an appendix to the Habitat Management Plan include to the maintenance of public art, street furniture, litter, control of dog waste and maintenance of ponds as detailed in the report, (2) conditions.**

#### **MAIN ISSUES:**

**Principle of the development**

**Impact of the highway works on highway safety**

**Impact of the development on drainage**

**Impact of the design of the proposed development on the character and appearance of the area.**

**Impact of landscaping on the character of the area.**

**Impact of the development on residential amenity.**

### **1. REASON FOR REFERRAL**

This application is to be determined by the Strategic Board because the proposal is for more major development exceeding 2 hectares.

### **2. DESCRIPTION OF SITE AND CONTEXT**

The site for the employment unit known as Unit A is located to the north of A500 and east of the line of the proposed spine road for the Basford West

development site. It is located in an area of former farmland which has now been cleared in preparation for development. The development plot for Unit A measures an average of 300m wide and 550m deep although it is narrower at the northern end and wider at the southern end. The application area also includes the spine road adjacent to the plot, the land for the formation of water storage ponds and landscaping on the east side of the spine road and the landscaping bund between the employment unit and A500. This section of the spine road and landscaping areas are therefore included in this application and application P08/1258 also reported on this agenda. This application (09/1480N) excludes the northern part of the spine road and the eastern part of the southern boundary scheme.

The site includes land allocated in policy E.3 of the Borough of Crewe and Nantwich Replacement Local Plan 2011 for a regional warehouse and distribution park and also along the southern boundary, land allocated for new woodland and landscaping under policy NE.10 of the adopted Local Plan. In addition the corridors of the A500 (now built) and the spine road for the development site are protected from other forms of development for use as non-trunk roads under policy TRAN.11.

### **3. DETAILS OF PROPOSAL**

The application seeks reserved matters approval for one building for Use Classes B8 (warehouse and distribution) and B2 (general industry) and ancillary offices, a security gatehouse and associated car and lorry parking and landscaping. The building will measure approximately 120m wide x 315m deep and will stand a maximum of 18m to the ridge of the roof with an eaves height of 16.5m. The eastern and western elevations will include extensive unloading and load bays and an operations office is also present on the eastern elevation. The main offices are located on the northern end of the building close to the site access and are present on three floors. A gatehouse is proposed at the site entrance and sprinkler tanks, a water storage area, lorry wash, fuel supply and smoking shelter are also proposed. A car park which includes 238 spaces is present at the northern end of the building and this includes 12 disabled parking spaces, a cycle shelter for 25 bicycles and a motor cycle shelter for 12 motor cycles.

The building will be constructed in a palette of natural colours (creams/browns). The main material for the construction of the building will be mushroom coloured vertical profiled cladding which will be broken up with sections of horizontal profiled mole brown cladding at ground level. The upper section of the building below the roof will also be formed with mole brown coloured horizontal profiled cladding. The cladding will be interspersed with full height vertical columns of pre-patinated copper panels. The roof will be constructed in meadowland coloured cladding and this will include the verge and eaves details. The same colour will also be used for the projecting canopy and columnar supports around the offices. The main materials for the office will be flat panel cladding in Orion with vertical sections of Sirius coloured cladding larger areas of timber rainscreen cladding. The entrance to the building will be located at the north western corner close to the gatehouse and be formed from curtain walling within a Sirius coloured frame. The

windows to the offices will have strong horizontal emphasis which is broken by the vertical columns of the canopy and vertical sections of cladding.

#### **4. RELEVANT HISTORY**

P03/1071 Outline permission for Warehousing and Distribution (B8), Manufacturing (B2), and Light Industrial/ office (B1) Development, Construction of access roads, footpaths, and rail infrastructure importation of soil materials, heavy goods vehicle and car parking and landscaping and habitat mitigation including Environmental Statement. Approved (subject to S106) 13<sup>th</sup> May 2008.

P06/1234 Ten Great Crested Newt Mitigation Ponds and associated ecological works. Approved 17<sup>th</sup> January 2007.

P08/0801 Creation of Bat Barn and associated ecological works. Approved 7<sup>th</sup> August 2008.

P08/1054 Substation and associated works. Approved 3<sup>rd</sup> November 2008.

P08/1249 Screening opinion for warehouse - unit A. EIA not required 4<sup>th</sup> December 2008.

P08/1258 Reserved Matters for various ground work etc. Reported on this agenda.

#### **5. POLICIES**

The development plan for this area includes the North West of England Plan Regional Spatial Strategy 2021 (RSS) and the Borough of Crewe and Nantwich Replacement Local Plan 2011 (LP).

The relevant development plan policies are:

##### **Regional Spatial Strategy**

DP1 Spatial Principles

DP2 Promote Sustainable Communities

DP5 Managing Travel Demand

DP7 Promote Environmental Quality

DP9 Reducing Emissions and Adapt to Climate Change

RDF1 Spatial Priorities

W2 Locations for Regionally Significant Economic Development

RT2 Managing Travel Demand

RT3 Public Transport Framework

RT4 Managing the Highway Network

RT9 Walking and Cycling

EM1 Integrated Enhancement and Protection of the Region's Environmental Assets

EM3 Green Infrastructure

EM5 Integrated Water Management

EM11 Waste Management Principles

EM18 Decentralised Energy Supply

MCR4 South Cheshire

##### **Cheshire Replacement Waste Local Plan**

Policy 11A Development and Waste Recycling.

### **Policies in the Local Plan**

NE.5 Nature Conservation and Habitats  
NE.9 Protected Species  
NE.10 New Woodland and Landscaping.  
BE.1 Amenity  
BE.2 Design Standards  
BE.3 Access and Parking  
BE.4 Drainage, Utilities and Resources  
BE.5 Infrastructure  
BE.16 Development and Archaeology  
E.3 Regional and Strategic Employment Allocations at Basford  
TRAN.3 Pedestrians  
TRAN.5 Provision for Cyclists  
TRAN.6 Cycle Routes  
TRAN.9 Car Parking Standards  
TRAN.11 Non-Trunk Roads.

### **Other Material Considerations**

Basford West Development Brief approved by Crewe and Nantwich Borough Council April 2004  
PPS1: Delivering Sustainable Development  
PPS 9: Biodiversity and Geological Conservation.  
PPG13: Transport  
PPG24: Planning and Noise  
PPS25: Development and Flood Risk  
PPS4: Planning for Sustainable Economic Development

## **6. CONSULTATIONS**

**North West Regional Development Agency:** Basford West together with Basford East is one of 11 large regional sites identified in the first Regional Economic Strategy published in December 2000. It was formally designated as a strategic regional site in December 2001 and has subsequently been identified as such in 2003 and 2006 Regional Economic Strategies. The development of Basford presents a key opportunity to reposition and diversify Crewe's economic base and help tackle pockets of high deprivation by attracting inward investment and providing space for indigenous industries to grow. The site will provide a high quality well planned flagship scheme for South Cheshire which will enhance the image of the area as a key gateway to the region. It will capitalise on rail access and road access and take advantage of the railway and engineering background. The Agency supports the first application at the site as this marks an important stage in the development and will help to secure delivery of the strategic regional site in accordance with Action 80 of the Regional Economic Strategy. The Agency stress the importance of applying the highest possible design standards and given the location adjacent to A500 it is essential that the opportunity to provide an attractive gateway to the flagship site is not lost.

**Highways Agency:** No objections.

**Cheshire East Highway Authority:** No objection subject to conditions in relation to the construction of the spine road and its western link to Crewe Road, provision of access, car parking, cycle and motor cycle parking, and the provision of showers, changing and lockers.

The land uses and the floor areas proposed for the development are within the maximum set in the S106 agreement. The predicted peak hour trip generation for the development is also below the maximum permitted in the S106.

An Interim Umbrella Travel Plan, for the Basford West site as a whole and a Draft Subsidiary Travel Plan in respect of plot A have been submitted as required by the S106 agreement. Schedule 5 also sets out how the travel plans will be developed and monitored following occupation. Travel planning is particularly important at this site as the measures within the plans will have to be successful if the development of the Basford West site as a whole is not to exceed its peak hour trip generation limits. Reaching these limits before the site is built out would lead to a restriction on any further development. The revised Travel Plans versions 218252 01G and 02G are considered to be acceptable following advice from the Authority's consultant Atkins.

A complimentary part of travel planning is the restriction in on-site parking and the provision of cycle parking along with changing and showering facilities. In this case the car parking is set approximately 35% below the maximum allowed under the Authority's standards and there is adequate provision of covered secure cycle and motor cycle parking. The submitted plans and documents do indicate that changing and showering facilities will be provided but they are unclear as to their exact extent. However it is considered that this issue can be addressed by condition.

The location of the access point for Unit A, the right turn lane provision and the visibility from the access are consistent with the details of the spine road shown on application P08/1258 and are all considered acceptable in highway terms. The layout of access within the site, as originally submitted, was considered unacceptable as it provided only limited stacking for HGVs waiting at the gatehouse barrier and the waiting HGVs prevented access and egress to the staff car park. The access, however, has now been amended to provide the maximum stacking space available, 6 HGVs, within the restrictions of the general layout of the site and provide a separate lane into the staff car park. It is considered that the amended access as shown on the submitted drawing 3785-A-003 Rev P11 is acceptable.

**Environmental Health:** Satisfied that the noise levels specified in the acoustic assessment will not cause a loss of amenity to local residents. No objections to the lighting strategy or the Framework Construction Management Plan.

**Environment Agency:** Request conditions for the submission, approval and implementation of a surface water regulation system and a scheme for the management of overland flow from the surcharging of the site's surface water drainage.

**Public Rights of Way Officer:** Following negotiations withdraw their earlier objection.

## **7. VIEWS OF THE PARISH COUNCILS:**

**Shavington-cum-Gresty:** The apex of the building will dominate the local landscape regardless of how much planting and screening is proposed. Local highways will not have capacity to cope with heavy goods vehicles which will be generated both by construction and when the unit is in operation. The Parish Council understood that the local link to the A500 was to be in place before any construction commenced on Basford West.

**Weston and Basford:** The Parish Council raises no objections in principle subject to the following provisos:-

- Ask for a reduction in level of the plot to reduce the visual impact of the building especially from residents at Basford village and because the site is located at the entrance to the prestigious development and must serve as an example to other future proposals.

- It is noted that the gatehouse is to be constructed using timber rainscreen cladding and a request is made for a more durable permanent material bearing in mind the need for a high standard of design.

- It is considered that there is a lack of evergreens in the planting on the southern boundary of the site which is needed to provide effective screening all year round. This would also help to mitigate the effects of leaf fall and surface water drainage.

- A comprehensive traffic management plan is required to prevent traffic passing through local villages not only for construction traffic but on a permanent basis. Speeding and rat running are persistent problems in local villages.

- It is requested that local residents be notified of hours of operation and any intended departure from these.

- Residents especially those in Basford raise concerns about hours of operation of end users, lighting and noise levels which can be extremely intrusive and damaging to residential amenities.

- Request a public consultation exercise.

### **Hough and Chorlton:**

- The floor area is excessive especially since the warehouse is close to the roundabout;
- It was suggested that loading bays would only be on one side of the development not both to minimise the impact on residential properties;
- There are very few conifers as a result there will be less screening during winter months and leaves will fall and clog up the drains;
- Concern that Gresty Brook will not withstand the water from the constructed ponds since there is history of flooding in the area;
- Hope that the warehouse will not be in operation until the road infrastructure is completed.

## **8. OTHER REPRESENTATIONS:**

54 Representations all of which, except one representation of concern, are objections to the application.

The grounds of objection can be summarised as follows:-

- The site is in a Greenfield location when there are brown field sites available;

- Contrary to the development brief;
- The size and scale of the warehouse is inappropriate for the countryside between Crewe and Shavington which should be protected;
- Shavington will become an extension of Crewe;
- The unit will destroy views for local residents and result in a loss of open countryside and spoil the rural character of the area;
- As a large building this should not be on the site frontage;
- The site is a gateway site and should not be used for a large shed but the design should be more in keeping with the rural location and the nearby Wychwood Park development;
- Buildings of lesser architectural quality should not be at the front of the site;
- Buildings should be low rise and concealed by trees;
- The developer should have to produce a justification for a building of this size which should include reference to all such buildings available in the wider locality including Knutsford and Stafford areas;
- The warehouse is based on a need which is now out of date and with the current recession there is no need for this type of unit. Logistic companies are not expanding
- There is the existing empty Prologis warehouse in Weston Road, Crewe therefore the proposed warehouse is not needed
- No potential users for the warehouse so it should not be allowed;
- The S106 Agreement requires the improvements to A500 and Junction 16 of the M6 to be completed before any new building is occupied. It will take years to complete these works therefore the development should not be allowed until these improvements are completed;
- The Atkins study identified that roads are at capacity and therefore this development should not be allowed;
- The Council should use powers under S97 of the Town and Country Planning Act to reverse the decision to allow the permission;
- The development should provide jobs for graduates so that students from MMU do not have to leave the area;
- The unit will provide only a few poorly paid jobs what is needed are jobs for skilled labour and light industrial units not warehouses
- Problems created by the amount of traffic using local roads means it takes time to travel around on road network
- People already use minor roads through villages for rat running avoid congestion on A500 and this will become worse;
- There are already tailbacks to A500 leading to M6 and the development will exacerbate the problem with capacity
- More buildings will mean more traffic on the local roads which cannot accommodate more vehicles;
- No public transport available to serve the development
- Impact of heavy vehicles on the village of Shavington
- Problems of lighting/ lighting pollution,
- Increase in Carbon Dioxide and atmospheric pollution leading to increased effects on Climate change;
- The Gresty Brook is prone to flooding and this will occur despite the various measures proposed to combat flooding;
- Pollution of the Gresty Brook despite measures to prevent pollution;
- Noise including the noise of lorries reversing and 24 hour working;

- The development will deter further investment in the area and will not help to fill the vacant dwellings at Wychwood Park
- Devaluation of property;
- Insufficient evergreen trees in the landscaping to make an effective tree cover and the planting will take years to become effective in screening the development;
- The development should be sited at Basford East which would affect less people;
- If the development is to be allowed the spine road should be fully constructed before the warehouse is first used to take traffic away from Crewe Road Shavington.

## **9. APPLICANT'S SUPPORTING INFORMATION:**

**Design and Access Statement** (Prepared by Peter Haddon Associates in conjunction with Goodman May 2009). The main points are:-

- Ground levels will be changed within the overall Basford West area and application P08/1258 seeks permission for the formation of a platform on which to construct the warehouse;
- The development will be separated from residential properties in Crewe Road by the wildlife mitigation area and landscaping;
- the outline permission requires extensive landscaping on the northern western and southern boundaries;
- The outline permission requires driver overnight facilities to be provided and these are achieved by the inclusion of a dedicated security gatehouse, vehicle parking within a secure yard, a ground floor operations office including toilet and washrooms, disabled WC and shower with changing, canteen and rest area;
- A structural landscaping scheme has been designed for the full extent of Basford West site which retain and protect trees on or adjacent to the application site and provide substantial areas of new planting to reinforce the retained trees and hedgerows;
- The new spine road provides direct access into the site away from residential properties in Crewe Road;
- The structural planting to be provided around the water storage areas between the spine road and the warehouse include earth bunding and planting to create vistas and allow public access into these areas.
- The detailed design of the building has evolved following discussions with officers of the former Crewe and Nantwich Borough council.
- Materials have been chosen to provide a palette of high quality materials in natural colours including timber and copper; a variety of materials will help to reduce the sense of mass of the building; Horizontal spanning cladding panels will reduce the visual impact of the height and these are punctuated by contrasting materials along the sides of the building;
- The roof is provided with overhanging verge and eaves to reduce the visual impact of the roof area and provide interest to the building;
- The variety of materials and use of projections provides articulation, relief and shadow which add visual interest to the building;



- The layout of the site has been designed with the operation needs of the end user in mind but to avoid service areas facing A500 on the southern boundary;
- Security will be achieved with the use of 2.4m high coloured paladin fencing which cannot be climbed or cut located around the building and yard areas and concealed by planting. Closed circuit television cameras around the site will be linked to the gatehouse;
- An office block is 2 storey with offices on the first and second floors and are located at the northern end of the building close to the car park. The ground floor could be used for either further office accommodation or welfare/ staff facilities depending on the needs of the end user. The office element projects forward from the building and will add visual interest to this part of the building.
- The juxtaposition of horizontal and vertical elements in the design, the use of a variety of materials, colours and textures will all help to reduce visual the scale and mass of the building.
- During construction waste will be segregated and reused where possible, hazardous waste will not be mixed with general waste, and measures will be used to ensure that liquid waste does not permeate the ground and unauthorised liquid waste will not discharge to drains or sewers.
- Waste will be minimised by using standard sized elements and only ordering the quantity required. Products will be ordered to fit where possible to reduce "cut offs".
- Where possible recycled products will be used provided the specification required can be met.
- Shelf life shall not be exceeded to minimise waste.
- Energy efficient measures to implement carbon saving will be incorporated taking into account capital cost, ease of maintenance, ease of installation, the ability to provide decentralised renewables on site and to reduce carbon dioxide emissions;
- Consideration will be given to the use of photovoltaics, solar thermal heating of water, solar wall constructed as a double skin cladding system to capture solar heat gain from south facing facades, and the installation of condensing and or bio-mass boilers.
- Energy efficiency will be increased by the use of roof lights over 10% of the floor area of the warehouse to reduce lighting needs, strip windows to ancillary offices to provide day light, natural ventilation, water reducing devices improved glazing to reduce "U" values lower than required by Building Regulations, energy efficient lighting with sensors and time control switches, passive shading and cooling to reduce solar heat gain.

**Protected Species Survey:** (Prepared by Middlemarch Environmental Ltd February 2009)

This summarises the detailed mitigation measures approved under condition 18 of the outline permission. The main points are:-

- Detailed ecological mitigation measures for phases 1 and 2 of the development site as a whole have been completed;
- A bat barn has been provided as habitat for bats which were present in the outbuilding at Springbank Farm (at the north end of the Basford

West site not part of Unit A site). The bats have been moved and the farm buildings have now been demolished;

- The site for Unit A has been cleared of trees. The only tree found to include a bat roost was retained on the edge of the ecological mitigation area;
- 21 Species of birds were found to breed on the site and bird boxes will be provided within the mitigation area to compensate for the loss of natural habitat. Replacement planting has been provided in association with the Great Crested Newts ponds and further planting is also to be provided.
- The site for Unit A has now been cleared of vegetation and this took place outside the nesting season;
- A series of Great Crested Newt (GCN) Surveys have been completed in advance of the formulation of the mitigation strategy and ponds provided under a separate planning permission. GCN found on the site have now been translocated to these ponds and GCN fencing provided around the mitigation area;
- Surveys did not find water voles present on the site.
- Toolbox talks will be given to all personnel working on site to ensure that they are aware of the ecological issues at the site.

**Noise Assessment** (Prepared by Vanguardia dated May 2009)

- The Noise Assessment has been prepared based on a number of technical documents and includes construction noise, road traffic noise which is based on through traffic and traffic generated as a result of development at Unit A, and operational noise from the development;
- A baseline survey was completed in April 2009 using survey points located at 8 Hunter Avenue, Cheshire Cheese car park, and on Crewe Road to the east of Greenbank Farm. A series of readings were taken during the night time period.
- The survey showed that the main sources of noise at night time were road traffic on Crewe Road and A500 for dwellings at Hunter Avenue; traffic on Crewe Road, nearby industrial development and trains at the survey point located at the Cheshire Cheese; and industrial noise at Crewe Road with traffic on Crewe Road and also trains were the main elements for the survey point east of Greenbank Farm.
- The consultants had been asked by the Council to investigate operational noise from the development in day and night time periods and from mechanical services plants, both against BS4142:1997;
- Predicted noise effect is based on the prediction for the three closest properties at 8 Hunter Avenue, 324 Crewe Road, and 344 Crewe Road including the effects of HGV manoeuvring, reversing, start up load and unloading activities;
- Predictions are based on typical movements at similar units in a “worst case” scenario using information from the Environmental Statement submitted with the outline application for day time effects and the 2009 survey for night time effects;
- The day time effect of operational noise is below the required prediction levels of BS4142 at all locations and meets guidance for outdoor living area of “moderate annoyance” provided in the World Health Organisation (WHO) guidelines and would also provide internal noise levels below the acceptable range of BS 4142 with windows closed;

- The predicted noise levels for night time period are at or below the WHO guidelines and would provide internal noise levels that are within the acceptable range of BS4142 at all three locations which would allow residents to sleep with windows open. The predictions take into the account the presence of the bunding on the western boundary of unit A.
- Maximum noise levels occur when lorries reverse into docking bays and the highest noise levels will be associated with the site at Greenbank Farm because there is no bunding on the north side of the development site. However the predicted noise levels are still below the WHO Guidelines for Community Noise for people sleeping with windows open;
- On the spine road noise from the through traffic using the road plus traffic from Unit A falls well below the trigger levels for sound insulation as provided with Noise Insulation Regulations 1975. When combining the existing levels and predicted noise levels for the spine road the increase is less than 3dB providing a slight adverse impact but is within accepted tolerances.
- Since the end user is not known the exact location of mechanical services plant is not known however the plant can be designed to meet the requirements of BS4142 and not to exceed the existing background noise level at any neighbouring dwelling. This can be achieved through a combination of location on site and suitably enclosing or attenuating the plant.
- The noise assessment is based on unit A alone without further buildings on the site and these future buildings will act as noise barriers for noise from Unit A once constructed.

### **Flood Risk Assessment** (Prepared by BWB Consulting dated February 2009)

This is a Flood Risk Assessment prepared for Unit A and is based on the Flood Risk Assessment which is detailed more fully for the whole site in the report on application P08/1258.

- Plot A is located in Flood Risk Zone 1 with a low risk of fluvial flooding, it is within a Greenfield site;
- Flood Water has potential to arise as a result of pluvial flooding, fluvial flooding and development drainage;
- The site is not considered to be at risk from pluvial flooding. It is too far from the Gresty Brook at the north end of the Basford West development site to be at risk from flooding as result of water in the Gresty Brook;
- There is an unnamed watercourse to the south of the site for Unit A and the main FRA shows that the development site is outside the flood risk plain for this watercourse for the 100 year plus climate change event. The water course is culverted under the spine road but if this became blocked hydraulic modelling shows that the level of flooding would still be safely passable by motorists and pedestrians and flood water would re-enter the water course down stream;
- The main risk is from flooding due to the increase in hard surfaces in the form of built development and car parks/ service areas.

- The water attenuation storage ponds located along the east side of the spine road provide attenuation to allow water to discharge to the Gresty Brook at the Greenfield rate achieved before development.
- Finished floor levels for the building will be set at 56.20m AOD. This is 300mm above the modelled 100 year plus climate change flood level for the unnamed water course to the south of the site and is less than the usual 600mm freeboard normally required. This is considered acceptable in this case because the southern screening mound will control flood water from that water course in the event of heavy rainfall.
- The level of the building also allows it to be sited 150mm above the surrounding hardstandings;
- No storm water attenuation will be required within Plot A because the site can discharge in an unrestricted manner into the adjacent storage ponds and related drainage system;
- Hardstandings will be graded to fall away from the building and run off will pass through a petrol interceptors to remove sediment and pollutants.

## 10. OFFICER APPRAISAL

### Principle of Development

Outline planning permission was granted in May 2008 following the signing of a legal agreement which secured a number of highway mitigation measures, ecological and landscape mitigation measures and the connection of the site to the adjoining railway for rail served unit(s). The objections raised by BEBWAG and local residents on the principle of development do not therefore fall to be considered in this reserved matters application because the development has outline planning permission. PPS4: Planning for Sustainable Economic Growth has been issued recently (January 2010) and seeks to provide jobs and promote sustainable economic development. The outline permission and S106 agreement together provide for the development of this regional development site in a sustainable manner and in line with the principles of the new PPS4.

The concerns in representations from BEBWAG and local residents that the Highways Agency/ Highway Authority will not approve a scheme for the construction of an eastbound lane on A500 approaching the motorway and related improvements at the junction is not a valid reason to refuse the application. These works are required both by condition of the outline permission and as a requirement of the Section 106 agreement. The works to widen the carriageway and provide an additional lane on A500 approaching the M6 have been agreed in principle. Negotiations are continuing between the developer and the Highways Agency to complete the submissions and agree a scheme for the necessary improvements for Junction 16 of the M6. These will need to be agreed before development allowed by the outline permission commences and be completed before the first warehouse unit is occupied.

As stated in representations the Atkins Report entitled "Basford Regional Investment Site - Transport Planning Delivery Strategy for Comprehensive Development" did conclude that *"The scale and mix of development put forward in the (Basford East and Basford West) Development Briefs is unsustainable from a transportation perspective"*. However the study went on to propose a comprehensive mechanism for delivery of both the Basford West and Basford East sites. That work resulted in a further study entitled "Transport Implications Associated with Basford West". Those studies were used to

inform the package of improvements and commuted payments required by the Section 106 Agreement for the Basford West development site. The submission of the reserved matters application is made on the basis that these requirements will still be met.

The Basford West Development Brief prepared by the former the Crewe and Nantwich Borough Council in conjunction with Cheshire County Council and the North West Regional Development Agency includes an illustrative layout which shows B1 units both sides of the spine road at its junction with A500. The original plans submitted with the outline application included a B1 unit close to the spine road on its eastern side at the junction with A500 and a warehouse unit on the western side. However as a result of an ecological need to connect the habitats created on the south of the site with those on the west of the site, the Section 106 agreement required the extension of the southern boundary scheme planting on the east of the spine road. The current application does not propose a B8 warehouse on the east side of the spine road immediately adjacent to it, where the B1 use is shown in the Brief. This area is actually included in the area for the formation of the balancing ponds, landscaping and public art. The B1 office accommodation is now to be provided on the western side of the junction of A500 with the spine road.

The Development Brief required a relatively small amount of B1 development at Basford West because this site is allocated in the Regional Spatial Strategy and Crewe and Nantwich Replacement Local Plan primarily for regional warehousing and distribution uses. Basford East is the site which includes more B1 development. The Basford West outline permission allows for 4,645 square metres of B1 development which is to be sited on the west side of the spine road. The fact that the reserved matters application does not meet the requirements of the Zoning Plan in the Development Brief is not sufficient grounds to justify refusal of the reserved matters application. The outline application did not include proposals for balancing ponds adjacent to the spine road, at the time that application was submitted in 2003, because the need for sustainable drainage schemes did not carry the importance it now does. PPS 25 published in 2006 changed the approach to sustainable drainage. The gateway features at the entrance to the site will now include office development on the west side of the spine road and a landscaped setting with balancing ponds and public art on the east side of the site.

This site is allocated for employment development and therefore within the policy framework of the Borough of Crewe and Nantwich Replacement Local Plan does not fall in an area of open countryside. Whilst policies seek to ensure adequate landscaping of the site the area is not one which falls within open countryside to be protected under the normal planning protection policies for such areas.

Condition 5 of the outline permission requires that the development be completed in accordance with the phasing of the outline permission unless otherwise approved in writing by the Local Planning Authority. The outline application included phases 1 and 2 as separate phases of development. This reserved matters application brings forward phases 1 and 2 together and the proposed development platform for plot A, which is included in the other application reported on this agenda (P08/1258), straggles the two phases. However the applicants have produced the necessary ecological mitigation strategy and full landscaping proposals are included with the application. There are therefore no objections to the delivery of phases 1 and 2 together and the development of one enlarged plot for a warehouse in principle. The developer will also comply with the requirements regarding off-site highway matters and related highway commuted payments in the Section 106 agreement.

Comments by BEBWAG relate to the principle of development. These matters do not fall to be considered in the determination of this reserved matters application and therefore have not been included in detail in the summary of consultation replies and are not addressed in this report. Those issues were considered in the report on the outline planning application considered by the Borough of Crewe and Nantwich Development Control Committee in 2007.

BEWAG refer to the rail link not being part of this application. The outline application proposed that the rail link be provided as Phase 3 development. This application relates to phases 1 and 2 only. The provision of a rail link is secured in the Section 106 agreement.

BEWAG ask for the permission to be revoked under Section 97 of the Town and Country Planning Act 1990. This power allows a Local Planning Authority to revoke a permission if it is expedient to do so. It goes on to state that the Authority should have regard to the development plan and any other materials considerations. The Development Plan comprises The North West of England Regional Spatial Strategy to 2021 and the Borough of Crewe and Nantwich Replacement Local Plan 2011. The North West of England Regional Spatial Strategy dated September 2008 recognises Crewe as a growth town under policy RDF1 and Basford is specifically seen as a major economic development site under policy MCR4. The site is also included in the Regional Economic Strategy. The Inspector at the Local Plan Inquiry for the current adopted Local Plan (The Borough of Crewe and Nantwich Replacement Local Plan 2011) in his report dated November 2003 addressed the need to reconsider Basford East and Basford West as allocated employment sites. He concluded that the allocations represented long established commitments at all levels of the planning system and with the completion of A500 and roundabouts to access the development areas objections seeking to reverse the allocations of employment land could not be supported.

Since that time outline planning permission was been granted for Basford West in May 2008. Ecological works including the construction of Great Crested Newt mitigation ponds, the formation of habitat areas with planting around the ponds and the construction of a bat barn have taken place. Great Crested Newts and Bats have been moved and a substation has been constructed. An archaeological investigation has taken place and the site for phases 1 and 2 of the development have been cleared. There have therefore been a considerable number of works which have taken place to progress the delivery of this site and it would not therefore be expedient to now revoke the outline permission.

Whilst residents do not wish to see the site developed for warehouses and consider that the need for warehouses is not what it was when the site was first allocated the provision of the development complies with the adopted Development Plan and the uses proposed are consistent with the adopted Development Brief. The policy requirements relating to this allocation and the Development Brief do not require a need assessment to be completed before the site is developed with employment units. Whilst there may be empty warehouse units within Crewe and Cheshire East as well as elsewhere there is no policy requirement for an assessment of such units to be completed and it would not therefore be appropriate to introduce such a requirement now.

## **Design**

The building is large approximately 120m x 315m. It is sited end-on to the A500 and the bulk and mass of the building is broken down through the use of a variety of different materials, contrasting areas of horizontal and vertical elements, the formation of the roof and the use of overhanging eaves. Condition 21 of the outline planning permission requires that all development on the southern side of the site adjacent to the A500 should not exceed 18m in height and the proposed warehouse complies with this condition. The ground level will be raised at the northern end of the plot by 2m but will correspond with existing ground levels at the southern end to provide a level platform for the development. Whilst requests are made in consultation responses for this platform to be lowered the level of the building cannot be lowered further because of the need to minimise the risk of flooding, achieve an adequate fall for drainage and maintain service and communication connectivity.

Representations consider that a warehouse of this size should not be sited so close to the A500 but should be located further into the site. However the building has been sited end-on to the A500 to minimise the visual impact from the south. Whilst there are limitations on height imposed in both the Development Brief and the outline permission there are no such limitations on the extent of the footprint of any building. Since the site is allocated for regional warehousing development it is inevitable that larger scale buildings will be provided. Whilst the landscaping cannot screen a building of this size it will soften the impact of the development as it matures. The inclusion of the water storage areas within a landscaped setting on the east side of the spine road further adds additional landscaping not proposed at the time of the outline application. This additional planting and landscaped area varies in width from 70m at the southern end to 17m at the narrowest point but averages about 30m in width.

The proposal includes a three storey office block with offices provided on the first and second floors, on the northern end of the building, to serve the B2/B8 uses proposed. The office building is designed with curtain glazing on the north western corner to act as a focal point at the entrance to the site for Unit A. It will be viewed from the spine road as set behind a water body with public art close by. The projecting eaves supported on columns provides relief to the building and strong horizontal glazing to the north elevation will overlook the car parking area at the north end of the site. The mix of materials on the whole building will create a building within a range of natural colours. The position of the office block in such warehouses is determined by the operational needs and internal layout of the development.

## **Residential Amenity**

### Construction Works

The report on the outline application gave consideration to the issue of impact on residential amenity. As a result the applicant is required by condition 33 of the outline permission to provide a Framework Construction Management Plan to establish the principles under which the construction work will take place and measures to mitigate the impact of works on residential amenities. This will then be followed by a Construction Management Plan for the highway works and a Construction Management Plan for each phase of development.

The Framework Construction Management Plan is submitted. This makes reference to a variety of subjects and includes hours of operation from 08:00-

17:30 Mondays to Fridays with maintenance refuelling etc being permitted from 07:30 hours provided the activities cannot be heard at the site boundary. Weekend and working on Bank Holidays will not be part of the normal practice although where necessary the agreement of the local planning authority in consultation with the Head of Environmental Health will be sought.

The Framework Construction Management Plan also notes that the properties at 358, 360 Crewe Road and Greenbank Farm will be most affected by landscaping works especially the formation of the bunds and priority will be given to forming these bunds first in order to minimise the impacts of development on these dwellings.

Traffic routing is also included in the Framework Construction Management Plan to prevent construction traffic using local roads through village and only to use Crewe Road through the town when absolutely essential. In response to the reserved matters application for ground works (P08/1258) the Highway Authority requests a condition for a scheme of temporary signage to be submitted and approved prior to the commencement of development. This condition can require the signage scheme to be retained throughout all construction works.

### Lighting

Condition 36 of the outline permission requires the submission of a lighting strategy for each phase of the development. This has been submitted with the ground works reserved matters application and the Environmental Health Officer has no objections to the strategy. Following from this a condition can be attached to require the submission of a lighting scheme for the development and its implementation in accordance with the principles of the lighting strategy. The Strategy seeks to keep lighting to the minimum necessary and the heights of lights as low as possible, with lights shielded and angled in to the site to prevent light spillage. On this basis and bearing in mind the location of plot A it is not considered that the lighting of the unit would adversely impact on residential amenities.

### Noise

The Environmental Health Officer raises no objections to the noise assessment. Representations raise concerns about noise from the site and 24 hour working. The outline permission given was on the basis that the site would be for 24 hour working with the exception of the plot at the rear of 358 and 360 Crewe Road (formerly plot 7 now known as plot L) where condition 23 requires the reserved matters application for that plot to provide details of the working hours. The hours can be agreed at that time when the layout of the site and nature and requirements of the use are known. However the Noise Assessment includes recent survey information relating to night time noise in the area. It concludes that the noise generated by the development throughout the 24 hour period will be within acceptable tolerance given the WHO Guidelines for Community Noise (1999) and BS4142:1997 Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas. However because the end user is not known the Noise Assessment does not take account of mechanical plant operating at the site. Conditions should be attached to any permission for details of the location and operation of mechanical plant at the site to be submitted and approved prior to the unit becoming occupied. This will ensure that plant is used in an acceptable manner, whether by selecting its location or providing noise



attenuation to the plant, so as not to unreasonably affect residential amenities at dwellings.

## **Drainage**

The Flood Risk Assessment submitted with the ground works application reported on this agenda (P08/1258) provides for surface water run off to be accommodated in the drainage system which includes a series of water storage ponds on the eastern side of the spine road. Part of this system falls within this reserved matters application where it located south of the access to the warehouse unit. This system will accommodate the predicted water run off from the whole of the developed site for Basford West. The Environment Agency raise no objections to the application and ask for conditions to be attached to the reserved matters permission for the warehouse unit for a scheme for surface water regulation and a scheme for the control of the overland flow from the surcharging of the site's surface water drainage. These can be attached to any permission. In addition it is recommended that conditions be attached for oil interceptors to be provided and for the full surface water storage scheme on the Basford West site to be implemented before the warehouse is first occupied.

Representations raise objections on the grounds that the Gresty Brook is liable to flood at present. However in the absence of objections from the Environment Agency it would be difficult to substantiate any such reason for refusal. The drainage system installed will ensure that any contaminated water will be drained to the foul system and not the surface water control system. With oil interceptors to parking areas there should be no contamination of run off. Foul drainage will be taken to the foul sewer in Crewe Road at the Cheshire Cheese and this has been taken into account in the Flood Risk Assessment. Surface water run off from the Cheshire Cheese will be accommodated in the surface water storage and control system for the Basford West site.

## **Ecology**

The outline permission envisaged the site being developed in three phases. The delivery of this plot will be achieved by combining the first and second phases together. The ecological mitigation works which include a bat barn and the construction of Great Crested Newt ponds with related planting areas have been provided and the bats and Great Crested Newts have been relocated. The ecological measures to allow the development of Unit A have therefore been provided. The Section 106 Agreement also sought to ensure the provision of new hedgerow and woodland planting and this is achieved with the provision of planting in the western mitigation areas which are outside this application area. Within the application area planting will be provided along the southern boundary and to the spine road. A hedgerow with shrub and tree will be provided on the western side of the spine road. To the east of unit A the area which includes the water storage ponds will be landscaped with woodland planting and edge mixes separated by areas of grassland. In addition aquatic planting will be provided on the edges of the ponds. Specimen trees will also be provided.

Within the plot around the car park planting will include hedges and individual trees together with shrub beds.

This additional planting will also provide areas of connectivity and habitat within the development site in addition to the mitigation areas around the periphery.

### Highways

The application area includes spine road from its junction at the roundabout on A500 to a point just north of the access to unit A, including landscaping both sides of the spine road and the access spurs to plots on the west of the spine road. Details of the construction of the spine road and its western link were included in the outline permission. Therefore the principle of the spine road and much of the details has been agreed. This application seeks to vary some of those details, as described above. The Strategic Highway Manager's consultation response explains that following the submission and the Transport Statement and sensitivity testing he has no objections to various modifications to the layout including the removal of the roundabout and a length of dual carriageway within Basford West site.

Since the original submission under this application, the access arrangements to Unit A have been modified to ensure space between the access point on the highway and the gate house to stack 6 HGVs and provide a separate access to the car park unimpeded by the waiting HGVs.

The Travel Plan for Phase 1 complies with the detailed requirements of the S106 agreement and the Interim Umbrella Travel Plan. It provides a reduced level of car parking on the assumption that employees will be encouraged to walk, cycle, use public transport and to consider car sharing. The S106 agreement established a total permissible site generation trip rate of 861 vehicles trips per day calculated as the sum of incoming AM peak flow plus outgoing PM peak flow. The trip rate includes freight movements and one option for controlling freight movements is the adoption of a Freight Management Strategy. The Travel Plan identifies a number of "Reasonable Measures" which will be used to discourage unnecessary vehicle trips. These include limitations on car parking spaces, scheme to encourage car sharing, parking enforcement, use of flexible working hours, compressed working week (eg 9 day fortnight), earlier and later starting / finishing hours and telephone/ video conferencing. Where "Reasonable Measures" fail to achieve the necessary trip rates "Remedial Measures" will be introduced which would be a more rigorous application of the "Reasonable Measures". Where these fail to achieve the required trip rates "Reasonable Sanctions" will be applied. Where trip rates are not achieved ultimately Cheshire East Council can under the S106 refuse further planning applications or impose financial penalties. The Travel Plan Coordinator is required to undertake the necessary monitoring and to submit monitoring reports to the Travel Plan Steering Group which will include representatives from Cheshire East Council other public bodies, the developer and occupiers.

Condition 31 requires details of Driver Overnight Facilities to be submitted. These consist of one shower, three WCs with wash hand basins, a booking-in room and a canteen/ restroom on the ground floor of the operations office block on the eastern side of the warehouse. The end occupier is not known. There do not appear to be any other showers for cyclists in the main office building. It is therefore recommended that conditions be added to any permission to ensure that before the unit is occupied details of staff numbers for each shift be provided

and further consideration of the exact number of showers, changing facilities and lockers be provided for staff on site. This is in addition to details of the showers, changing facilities, rest room/ canteen facilities which constitute drive overnight facilities. Whilst lockers may not be necessary for overnight drivers because they will sleep and use space in the lorry cabs, lockers may be needed by cyclists.

The layout of the spine road and access arrangements at unit A are therefore considered acceptable. Further it is considered that the Travel Plan together with the car parking, cycling and motor bike parking on site when operated in combination with the various measures required to promote sustainable transport under the Section 106 agreement will provide an acceptable and realistic control over vehicle movements arising from the development both on local roads and also on A500 and at Junction 16 of M6. The Section 106 agreement itself requires adherence to the Umbrella Travel Plan and Subsidiary Travel Plans.

The S106 agreement required a commuted payment towards the costs of managing traffic through the villages in order to reduce rat-running.

### **Landscaping**

The Tree survey identifies the trees to be retained and the accompanying plans detail measures for their protection. These have been put in place. The landscaping scheme submitted with application P08/1258 details the planting both sides of the spine road, the formation of ponds on the east side of the spine road, planting along the southern boundary of the site adjacent to the A500 and additional planting in the western mitigation areas. This is secured through the Section 106 agreement and conditions of the outline planning permission. A Habitat Management Plan for all these areas is submitted with the 2008 application. Part of this landscaping is also included in the application area for the warehouse unit. This includes planting both sides of the spine road level with the plot area and corresponding planting on the southern boundary.

Whilst the proposed southern mound adjacent to the A500 is only 3m high to increase the size of the mound substantially by the use of gabions or other techniques would reduce the chances of planting becoming established on it and the mound itself would look very artificial. The mound complies with the principles of the Development Brief. It is not intended that it will screen out the development at the time of the initial construction but that over a period of time the mound with the planting will become established and assimilated into the landscape. All the mounds around the site are to be formed using topsoil on the site to reduce the need to import material and reduce transport movements. Tree species include native trees as required by the Development Brief. Parish Councils request additional evergreen trees to increase screening in winter. However the proposed planting includes an edge mix of hazel, dogwood, willow and guelder rose with a central area of woodland planting including silver birch, ash, hawthorn, cherry and oak as well as privet, willow and hazel. Within the woodland mix individual conifers with oak and field maple will be planted. The landscaping is designed to produce a natural mixture which will promote wildlife and increase biodiversity as well as screening the development from the south. The inclusion of additional evergreen is not therefore recommended by landscape architects.

The planting on the spine road includes a boulevard of trees. To the west of the spine road this is set within a hornbeam hedge with additional shrub planting to the road frontage. On the eastern side of the road, where the planting widens out to accommodate

the water storage ponds the hedgerow is not present but additional shrub planting and mixed shrub and tree planting are present. Amenity grassland between the ponds and the shrub mix includes a footpath for access and use of the area. The ponds are located within the grassland and whilst the primary requirement is for water storage to control the flow of surface water from the site, they also provide amenity areas. The water margins are planted. Amended plans have taken on board the need to ensure that the edges of the ponds are not too steep to present a hazard to people using the area. Between the ponds and the development site which is for Unit A, the edge mix planting includes more individual trees and a slightly different shrub / edge mix.

A Habitat Management Plan is submitted as a requirement of the Section 106 agreement. This provides schedules of the maintenance regime for the structure planting areas included in the outline application. The planting along the spine road was not part of that requirement and the applicant has agreed to sign a deed of variation of the S106 agreement to ensure that the Habitat Management Plan is applied to those areas of planting adjacent to the spine road and around the water storage ponds. This makes provision for the maintenance of the planting for a period of 15 years with a requirement to agree further maintenance measures at the end of that time. However the Management Plan submitted does not include details for the maintenance of public art, street furniture and other items provided in this area. An appendix or addendum to the Habitat Management Plan is required specifically to secure a management and maintenance regime for the public art, street furniture including seating, fencing, access gates, barriers or other means of control, litter picking, control of dog waste, litter bins, dog waste bins, hard surfaces including paths and any related waymarking and maintenance of ponds and culverts, particularly in terms of cleanliness and safety (where these are provided). Since the details of the public art and street furniture have not been agreed yet this document may need to be provided in stages. The first stage would be required prior to the completion of the landscaping scheme and would include hard surfaces, maintenance of ponds, culverts and fences since these details are included in the landscaping scheme. Details of other items not shown on the landscaping scheme shall be submitted to the Local Planning Authority and approved in writing prior to the provision of that item (eg public art, street furniture, litter bins, dog waste bins etc). In terms of items such as waymarking, gates, barriers and means of control these may be required in due course as the site develops and patterns of use are established or may be required once the footpath diversion is determined. The applicant has agreed to sign a deed of variation to implement the Habitat Management Plan for the planting on both sides of the spine road (including the planting around the water storage ponds) and to provide an appendix to the Habitat Management Plan to secure a management and maintenance regime for the additional items specified above.

The Development Brief allows for buildings up to 18m in height for B8 warehouse units on the south side of the site and the illustrative layout submitted with the outline application shows a warehouse located in much the same position as that which is the subject of this application relative to the A500. That warehouse unit is wider in an east-west direction but of much less depth in a north south direction. The outline permission established a phasing of the development with phase 1 including the construction of the spine road and the warehouse unit adjacent to the A500. The reserved matters application is now proposing to bring forward phases 1 and 2 together. To provide a warehouse unit of this size at the northern and eastern end of the site would be to provide the phase 3 development early on the scheme. Although the warehouse unit is large it does not conflict with any of the conditions of the outline permission.

## Sustainable Development

Policy EM18 of the Regional Spatial Strategy requires that new non-residential development of more than 1,000 sq m secure at least 10% of the predicted energy requirements from decentralised and renewable or low-carbon energy sources. The Design and Access Statement submitted with the application identifies various measures which might be used to reduce the energy requirements of future occupiers. It also notes that the building will be designed with roof lights to cover a minimum of 10% of the warehouse floor area to reduce the need for artificial lighting, natural ventilation systems to be incorporated using stack ventilation, water reducing measures to be included, improved glazing and thermal insulation to achieve lower “U” values than required by building regulations, time switches and controls to be used to ensure devices, lights etc are not used unnecessarily, and passive measures to reduce solar heat gain. Therefore the building will be designed to incorporate a number of energy saving devices and it is recommended that a condition be imposed to ensure that these measures are provided in the building. However since the end user is not known it is recommended that a further condition be imposed to require a scheme for the submission of additional energy saving requirements to be achieved by the unit occupier to ensure that not only the building is built to such design requirements but that it is occupied and utilised in accordance with such requirements.

### 11. CONCLUSIONS

The proposed warehouse unit will comply with the principles of development in the Basford West Development Brief, the requirements of the outline planning permission and Section 106 agreement. Ecological mitigation has been completed to off-set impacts on protected species and habitats.

The proposed landscaping will provide a new landscaped setting which will incorporate water storage measures to ensure that the run off rate from the site corresponds to the Greenfield run off rate of the existing site. The landscaping proposed will include screening mounds to reduce the visual impact of the development and planting, based on native species, which will enhance biodiversity as well as soften the impact of the development in the landscape. Paths through the area will allow for public access and use of the landscaped areas adjacent to the spine road.

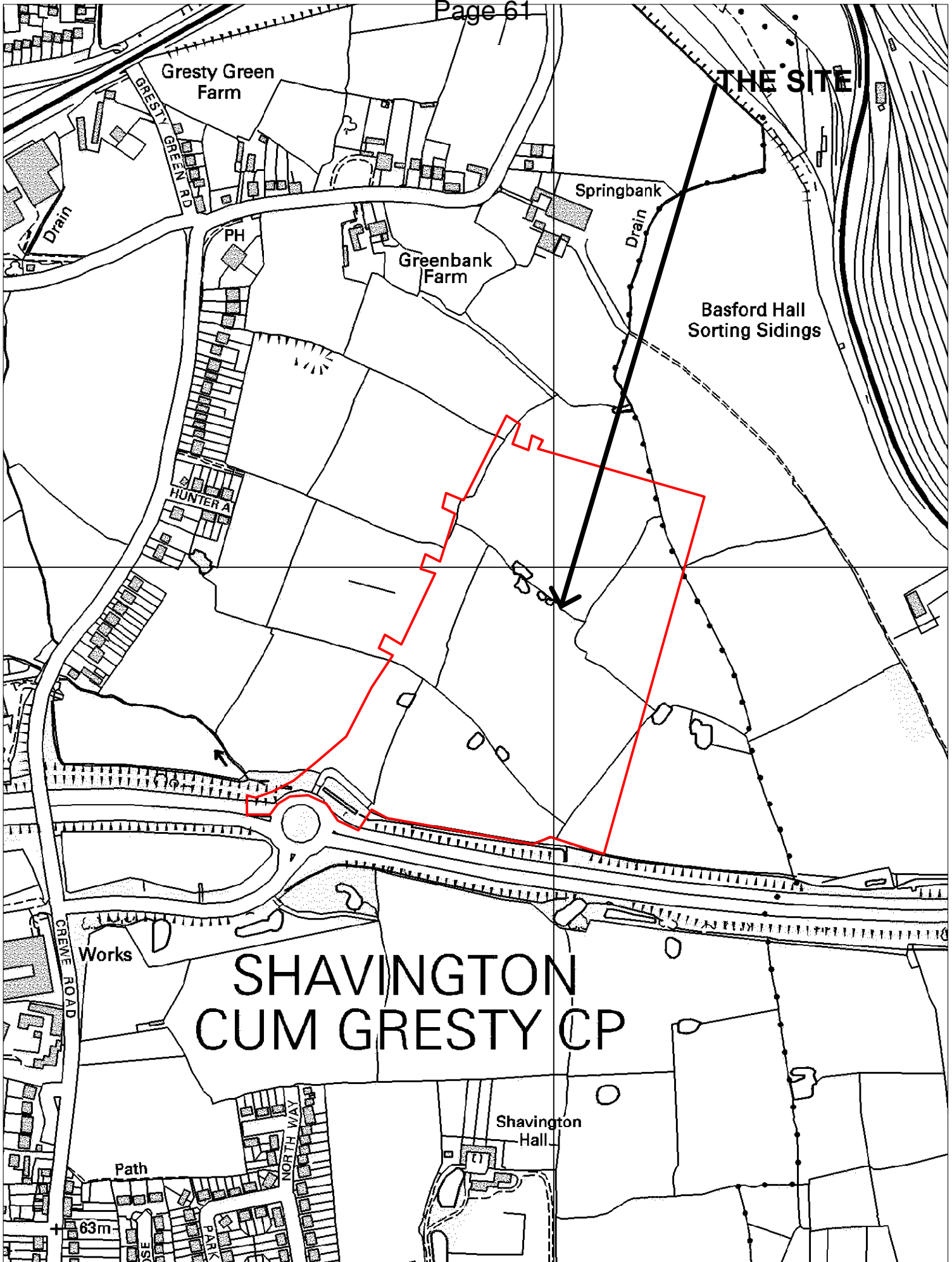
Whilst the building itself is large the site is allocated as a regional employment site and the size and scale of the unit is consistent with that allocation. The building is designed using a number of visual devices to minimise the impact of the development on the landscape and promote a high quality warehouse development.

The proposed spine road will provide a new road link between Crewe and the A500 south of the site and this road will provide access to the new employment units allowed by the outline planning permission. The Transport Statement together with information submitted at the outline stage demonstrates that the new road will accommodate the traffic from the development and traffic in the area. The new warehouse unit includes car parking, cycle and motor cycle parking and the development includes a Travel Plan to promote the use of sustainable transport. This is a requirement of the Section 106 agreement.

## **12. RECOMMENDATIONS**

Following the completion and signing of a deed of variation to implement the Habitat Management Plan for the planting on both sides of the spine road including the planting around the water storage ponds and to provide an appendix to secure a management and maintenance regime for the public art, street furniture including seating, fencing, access gates, barriers or other means of control, litter picking, control of dog waste, litter bins, dog waste bins, hard surfaces including paths and any related waymarking and maintenance of ponds and culverts, APPROVE subject to the following conditions:

- 1. Plans**
- 2. Samples of materials to be submitted for approval.**
- 3. Landscaping to be implemented in accordance with the submitted amended plans.**
- 4. Spine Road and its western arm to be completed and available for use before the unit is first occupied.**
- 5. Wildlife tunnels to be provided in spine road.**
- 6. Access to Unit A to be provided before the unit is first occupied.**
- 7. Car parking to be provided before the unit is first occupied.**
- 8. Cycle parking and motor cycle parking to be provided before the unit is first occupied.**
- 9. Details of showers, changing facilities and lockers for use by persons cycling to work to be submitted approved and provided and to be made available to all staff working at the unit.**
- 10. Details of driver overnight facilities to be submitted approved and implemented.**
- 11. Development to comply with Noise Assessment.**
- 12. Details of measures to reduce noise from mechanical service plant to be submitted approved and implemented.**
- 13. Submission of Construction Management Plan for Phase 1& 2 combined.**
- 14. Flood risk attenuation measures from this site to Gresty Brook to be provided before unit A is first occupied.**
- 15. Full details of security fencing**
- 16. Details of waste recycling and storage facilities.**
- 17. Details of lighting scheme to be submitted, approved and implemented.**
- 18. Details of measures to improve the energy efficiency of the design of the building to be submitted approved and implemented.**
- 19. Details of energy efficiency measures to be used by the operator in the use of the premises to be submitted, approved and implemented.**



# SHAVINGTON CUM GRESTY CP

**BASFORD WEST DEVELOPMENT SITE, CREWE ROAD, SHAVINGTON CUM GRESTY, CREWE, CHESHIRE**

**NGR - 370,960 : 352,940**

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Application No: 09/3023M

Location: LAND ADJACENT TO, COPPICE WAY, HANDFORTH, WILMSLOW, CHESHIRE

Proposal: OUTLINE PLANNING APPLICATION WITH MEANS OF ACCESS, LAYOUT, SCALE AND APPEARANCE FOR CONSIDERATION AND LANDSCAPING RESERVED FOR SUBSEQUENT APPROVAL FOR THE DEVELOPMENT OF A CARE VILLAGE COMPRISING 55 BEDROOM CARE HOME, 36 CLOSE CARE COTTAGES; 6 SHARED OWNERSHIP AFFORDABLE DWELLINGS - ALL FOR THE OVER 55'S; AND ASSOCIATED ACCESS ROADS, PUBLIC OPEN SPACE, LANDSCAPING, CAR PARKING AND ANCILLARY DEVELOPMENT.

Applicant: GREYSTONE (UK) LTD

Expiry Date: 30-Dec-2009

**Date Report Prepared: 04 January 2010**

#### **SUMMARY RECOMMENDATION**

Approve subject to completion of s106 Legal Agreement and the imposition of conditions.

#### **MAIN ISSUES**

- Departure from Development Plan policy – assessment of material considerations to justify a departure from policy.
- Site planning considerations.

#### **REASON FOR REPORT**

This is an application which raises significant planning policy issues as a departure from the Development Plan.

#### **DESCRIPTION OF SITE AND CONTEXT**

The site is a Greenfield site outside the settlement boundary lying on the eastern fringe of the Handforth urban area. The site is surrounded on its north and east boundaries by comprehensive landscaping implemented with the A34 bypass and Handforth Dean retail development. A mature hedgerow and public footpath form the southern boundary to the site, with open fields extending to the south. The western boundary abuts a public footpath that links Hall Road and Coppice Way. An area of open space lies to the west of the site and separates it from the grounds of Handforth Hall, a Grade II\* listed building. To the south west of the site are the residential properties of Hall Road, Wadsworth Close, Oldhall Crescent and Hill Drive.

The site covers approximately 1.9 hectares and forms a strip of land between Coppice Way and Hall Road on the eastern edge of Handforth. The site is identified as safeguarded land under policy GC7 of the Local Plan. The area adjacent to the west boundary of the site is identified as Open Space under policy RT6 of the Local plan.

## **DETAILS OF PROPOSAL**

The application is for Outline planning permission and proposes the development of the site for a care village comprising a 55 bed care home and 42 close care cottages for people over the age of 55 of which 6 are to be provided on a shared ownership basis. A community pavilion would also be provided within the site, including a restaurant, hairdressers, physio room and library. The application is accompanied by application ref. 09/0350M for the access road off Coppice Way. The developments should be considered together and have only been disaggregated to prevent land ownership differences complicating a legal agreement if the application is approved.

Whilst the application is Outline, only landscaping matters are reserved for subsequent approval. Detailed consideration is required for the means of access, layout, scale and appearance as part of this application.

The 55 bed care home is a 2.5 / 3 storey building located on the eastern section of the site close to the A34 bypass. Although 3 storeys, the top floor is generally within the roof space. 14 parking spaces would be provided adjacent to the building including 2 disabled spaces.

The proposed close care cottages would be located on the western part of the site, and consist of bungalows and 2 storey units. 51 parking spaces would be provided amounting to 1 space per dwelling and 9 additional spaces.

Access into the site would be taken from Coppice Way (see application 09/0350M). The access road would leave an access spur into the adjoining safeguarded land to the South and separates the care home and the close care cottages.

## **RELEVANT HISTORY**

09/0695M Development of a care village (sui-generis use) comprising 58 bedroom care home; 47 close care cottages; 15 shared ownership affordable dwellings; and associated access roads, public open space, landscaping, car parking and ancillary development.  
Refused 19.08.2009

08/1847P Development of care village incorporating care home (use class C2); and care cottages and shared ownership affordable dwellings (use class C3); and associated access roads, public open space, landscaping, car parking and ancillary development.  
Withdrawn 7.11.2008.

## **POLICIES**

The Development Plan consists of the North West of England Plan Regional Spatial Strategy to 2021 (RSS), the saved policies of the Structure Plan Alteration: Cheshire 2016, and the saved policies of the Macclesfield Borough Local Plan.

### **Regional Spatial Strategy**

Relevant policies of the RSS include: DP1 Spatial Principles; DP2 Promote Sustainable Communities; DP3 Promote Sustainable Economic Development; DP4 make the Best Use of Existing Resources and Infrastructure; DP5 Manage Travel Demand - Reduce the Need to Travel, and Increase Accessibility; DP7 Promote Environmental Quality; DP9 Reduce Emissions and Adapt to Climate Change; RDF 2 Rural Areas; Policy L1 Health, Sport, Recreation, Cultural and Education Services Provision; L2 Understanding Housing Markets; L4 Regional Housing Provision; L5 Affordable Housing; RT2 Managing Travel Demand; RT9 Walking and Cycling; EM1 Integrated Enhancement and Protection of the Region's Environmental Assets; EM3 Green Infrastructure; EM16 Energy Conservation and Efficiency; EM18 Decentralised Energy Supply; MCR3 Southern Part of the Manchester City Region.

Of the remaining saved Structure Plan policies, only policy T7: Parking is of relevance.

### **Local Plan Policy**

Relevant policies of the Local Plan include: NE11 and NE17 relating to nature conservation; BE1 Design Guidance; BE2 Historic Fabric; BE16 protecting the setting of listed buildings; BE24 Archaeology; GC7 Safeguarded Land; RT1, RT2 and RT6 Open Space; H2 Environmental Quality in Housing Developments; H9 Affordable Housing; H13 Protecting Residential Areas; DC1 and DC5 Design; DC3 Residential Amenity; DC6 Circulation and Access; DC8 Landscaping; DC9 Tree Protection; DC17 and DC18 Water Resources; DC35, DC36, DC37, DC38 relating to the layout of residential development; DC57 Residential Institutions; T3 Pedestrians; T4 Access for people with restricted mobility; and T5 Provision for Cyclists.

The site lies within an area of safeguarded land designated in the Macclesfield Borough Local Plan and adjacent to land designated as Open Space within the Plan. The site also lies near to the grounds of Handforth Hall, a Grade II\* listed building.

### **Other Material Considerations**

National policy guidance set out in PPS1 Delivering Sustainable Development, PPS3 Housing, PPS9 Biodiversity and Geological Conservation, PPG13 Transport, PPG15 Planning and the Historic Environment, PPG16 Archaeology and Planning, PPG17 Sport and Recreation, PPG24 Planning and Noise and PPS25 Development and Flood Risk are of most relevance to the proposed development.

The newly published PPS4: Planning for Sustainable Economic Growth is also of some relevance to this proposal. The guidance does not relate to housing proposals, and as a predominantly residential scheme this guidance is not considered to be a significant material

consideration in relation to this proposal. However, as a scheme that provides employment opportunities the principles of achieving sustainable economic development are still relevant.

Circulars of most relevance include: ODPM 06/2005 Biodiversity and Geological Conservation; ODPM 05/2005 Planning Obligations; and 11/95 The use of Conditions in Planning Permissions.

Relevant legislation also includes the EC Habitats Directive, the Conservation (Natural Habitats &c.) Regulations 1994, Wildlife and Countryside Act 1981 and the Hedgerow Regulations 1997.

## **CONSULTATIONS (External to Planning)**

**Highways:** No objections in principle.

### Care Home

The on-site parking provision is substandard (when considered against parking ratios). However; notes the applicant's experience of these developments and the advice of PPS1. They consider that the development should not cause material harm to highway safety. Even if more cars were to visit the site than can properly be accommodated in the allocated spaces, then it is unlikely that they will harmfully impact on the public highway.

The location of the Care Home, whilst not immediately adjacent to the public transport network, is within a twenty minute walk of the bus network & the rail station as well as the Handforth Dean shopping complex is thus considered sustainable.

In order to support the implementation of a green travel plan as well as preventing parking having an impact upon highway safety the Council will require that the applicant fund the implementation of a traffic regulation order if within 5 years of opening of the home it is noted that vehicle parking is taking place on the adopted highway.

### Close Care Cottages

The public footpath adjacent to the site is well used and should be linked into the development. In this respect a link to facilitate southward movements will be required in addition to the proposed link. In the interests of public safety these should be lit.

Parking provision within the care village is consistent with PPG13's advice. Should there be any excess parking, it is unlikely to 'knock-on' to the public highway.

With respect to green transport & alternative methods of travel requests the provision of appropriate levels of on-site cycle storage.

The imposition of appropriate conditions is recommended and a legal agreement with the following heads of terms:

- Operation of a travel plan
- Provision of a Traffic Regulation Order

- Enter into a Section 278 Agreement (design and construction of the site access roads and design and installation of lighting on the public footpath).

## **Housing Strategy**

The 2004 Housing Needs Study (for the former Macclesfield Borough) suggests a requirement for sheltered accommodation of 1200 private market units and 827 affordable units. The close care cottages and affordable units for the over 55s will help to address the identified local housing need.

Despite the economic downturn, there remains a local affordability issue with Macclesfield being one of the least affordable areas in the region. In addition, Cheshire East has a higher than average aged population. It is suggested that 25% affordable housing is negotiated, equating to 10 units.

**Environment Agency:** No objections on the basis that the measures dealt with in the supporting Flood Risk Assessment are implemented and secured by way of a planning condition on any planning permission.

**Natural England:** They are not aware of any nationally designated landscapes or any statutorily designated areas of nature conservation importance that would be significantly affected by the proposed planning application. They note that the information provided identifies that the following protected species may be affected by the proposal: Great Crested Newts, Bats and Breeding Birds.

They note that the information provided identifies that Great Crested Newts and Breeding Birds which are legally protected species, will be affected by the proposal. They also note that Bats may be affected by the proposal. Such protected species are a material consideration in planning terms as stated in Part IV paragraphs 98 and 99 of Circular 06/2005 which accompanies PPS9, 'Biodiversity and Geological Conservation'. They are unable to provide detailed advice on mitigation in this case. They recommend, however, that the local authority consider the requirements of protected species in the determination of this application.

**English Heritage:** The application should be determined in accordance with local and national policy guidance, and on the basis of your specialist conservation advice.

**United Utilities:** No objection to the proposal provided the site is drained on a separate system, with only foul drainage connected into the foul sewer. Foul drainage should be connected to the existing 825mm diameter public sewer crossing Hall Lane and surface water to be discharged to watercourse to the southwest of the site, subject to the approval of the Environment Agency. All surface water drains must have adequate oil interceptors.

**Officer for Archaeology -** The proposed development will occur in an area of land to the west of Handforth Hall which was constructed in the 16th century and is recorded in the Cheshire Historic Environment Record. The applicant has commissioned a desk-based archaeological assessment in response to suggestions of the presence of a chapel and burials in the vicinity of the Hall. The provisional conclusion of the report was that the chapel

had been within the application area and that pre-determination evaluation would be necessary. Subsequently, however, further documentary evidence was located which indicated that the chapel and burials were not within the application area but had been sited much closer to the Hall. In these circumstances, it was concluded that further archaeological work would not be required and I am happy to accept this conclusion.

**Public Rights of Way Unit:** Notes that the public footpath should not be obstructed. Request that the developer is reminded of their obligations to maintain the right of way.

**Leisure Services:** No comments received.

**Environmental Health:** No objection subject to a condition controlling hours of construction. In terms of potential land contamination the application area has a history of farm use and therefore the land may be contaminated. The application is for new properties, which are a sensitive end use and could be affected by any contamination present. The Preliminary Risk Assessment report submitted in support of the application recommends that further investigation is required. No objection subject to conditions to take this into account.

The impact of noise from the A34 bypass has also been considered, in terms of any potential impact on future residents of the care home. No objection is raised in this respect subject to conditions.

**Fire Officer:** No objections in principal. Request that the development is designed and laid out in accordance with current standards.

## REPRESENTATIONS

A petition against earlier proposals has been submitted with 343 names. This number includes people from the same households and also names without an address. The petition requests the plans to be rejected and states that the development would be very damaging to the local area and would destroy a large area of natural beauty. The organiser of the petition requested that the petition be valid for any subsequent similar proposals to develop the site.

A total of some 78 letters and e mails of objection from neighbours and members of the public have been received. The grounds of objection can be summarised as;

- Lack of need. Other local facilities have spaces.
- Conflict with Local Plan allocations (especially RT6 and GC7)
- Loss of open amenity space
- Harm to protected species and their habitat
- Harm to birds and other wildlife
- Harm to valuable hedgerows
- Increase in traffic and exacerbation of already poor conditions
- Conflict with traffic and additional danger especially along Hall Rd.
- Inaccessible location which is remote from local services
- Harm to the existing bund and harm to its function of baffling noise and landscaping
- Repetitive applications with little difference between them
- Objector fatigue

- Availability of other and better sites
- Inadequate and misleading supporting information
- Proposed pedestrian routes would encourage anti social behaviour.
- Potential to increase flood risk
- Forerunner to a larger development
- Loss of Green Belt land
- Retirement age is likely to increase. Younger people (eg55+) are likely to be still driving meaning that parking etc would be inadequate.
- Strain on local services
- Loss of flora including trees and bushes
- Inappropriate range/split of accommodation
- Potential for site to be used for overspill parking from nearby retail stores.
- Harmful impact on residents' amenity
- Conflict with the applicant's earlier case
- Loss of footpath
- Noise and pollution from traffic
- Harmful impact of construction traffic/operations
- Planning permission should be refused for the same reasons as before.
- Harmfully high density
- Poor layout and amenity provision
- Unaffordable rates

In addition, 4 letters of support have been received. The grounds of support include;

- Increased choice for independent living for the elderly
- Increased socialisation and companionship leading to improved mental and physical welfare.
- Need for developments of this nature.
- Benefits of modern and desirable accommodation for the over 55s.

### **Age Concern**

Support the proposal. The Care Village would offer additional choice in accommodation options for the ageing population locally. The Care Village model offers many advantages through the services and facilities available.

### **CPRE**

Object to this successor scheme on the basis that the site is too precious to the people of Handforth for its amenity value and for protection of the listed Handforth Hall. A Brownfield site elsewhere should be developed in preference.

### **APPLICANT'S PRE-APPLICATION CONSULTATION**

A statement of community engagement has been submitted, which essentially relates to the consultation process undertaken by the applicant prior to submitting the 2008 application ref.

08/1847P. Their publicity involved advertisements in the local press, posters, advertisement on the Council's website, and 2 public exhibitions held at Handforth Library. The exhibitions attracted over 150 attendees and 80 comment sheets were completed. Of these comments, 12 contained points of support and 75 contained points of objection. Following the comments received, the applicant made alterations to the scheme before submitting the original planning application. The major changes included removing the proposed access from Hall Road and altering the site layout.

## **APPLICANT'S SUPPORTING INFORMATION**

The information that has been submitted alongside the plans and drawings includes:

- Planning Statement;
- Design and Access Statement;
- Housing Needs Assessment;
- PPS3 Checklist;
- Draft Heads of Terms for Section 106 Agreement;
- Statement of Community Engagement;
- Transport Assessment;
- Flood Risk Assessment and Drainage Strategy;
- Ground Investigation Report;
- Phase 1 Ecology Report and associated surveys;
- Great Crested Newt Survey;
- Arboricultural Survey;
- Desktop Archaeological Report;
- Energy Statement;
- Sequential Analysis.

These documents can be viewed online as background information. The planning statement concludes that:

The development site extends to 1.8 hectares and adjoins the built up area of Handforth. The proposed development is situated in close proximity to a range of key services and facilities, and is well served by public transport which provides frequent transport services to surrounding settlements.

The proposal has been prepared in the context of current local, regional and national planning policy guidance, and accompanying background material. We consider that the need for the development and the lack of suitable and alternative sites are material considerations to be taken into consideration:

- a) The proposed care home, Close Care Cottages and affordable housing respond to housing needs and demand in the local area, and therefore provide for a shortage of this type of housing. This proposed development will contribute to the creation of mixed communities in accordance with PPS1.



- b) Notwithstanding the identification of the site in the Local Plan for housing delivery after 2011, the demonstrated need for this type of development offers suitable conditions for the site to be brought forward for development.
- c) The proposed development provides for the retention and improvement of the quality of open space, including improvements to the local biodiversity.
- d) The site has good sustainability credentials with a range of facilities available within Handforth and further afield in Wilmslow, Stockport and Manchester. The site is well connected to the wider area with two regular bus services and a railway station within 600m of the site.
- e) The proposed development is well designed, appropriate to the location, scale and density of its surroundings.
- f) The development of the site will create new employment opportunities and as such will positively contribute to the local economy, in accordance with PPS1.

The proposed development should be considered as an exception to the current Development Plan policies and in our view other material considerations justify the proposal.

## **OFFICER APPRAISAL**

### **Principal of Development**

Members will be aware that this application is a resubmission following refusal of an earlier proposal for a care village on the site. The reason for refusal for the previous application (09/0695M) states:

*“The proposed development is contrary to Macclesfield Borough Local Plan Policies GC7 (safeguarded land lying between the urban limits and the inner boundary of the Green Belt that may be required to serve development needs well beyond the plan period) and RT6 (open space allocated for recreational purposes). It is not considered that there are material considerations in favour of this development proposal that would be sufficient to justify the departure from development plan policy.”*

The main change in principal with this proposal is that the development has been reduced in scale and the application site no longer includes the land designated as Open Space under policy RT6(10) of the Macclesfield Borough Local Plan. The access to the development from Coppice Way does go through the landscaped bund also designated as Open Space; this is considered in application 09/3050M.

The application site itself is designated as ‘Safeguarded Land’ under Local Plan policy GC7. Safeguarded land may be required to serve development needs beyond the Local Plan period (2011). It is clear that although the land is not Green Belt, it is also not allocated for development at the present time and policies relating to development in the countryside will apply. Policy GC5 deals with development in the open countryside, which “will not be permitted unless it is essential for agriculture, forestry, outdoor recreation or for other uses

appropriate to a rural area". Clearly the development does not fall into one of those categories.

Policy GC7 also states that development that would prejudice its later comprehensive development will not be permitted. The applications include an access road to serve the proposed new development. This access road includes a spur, which could be utilised to access the remaining majority of the safeguarded land. Under these proposals, the Local Authority would adopt this part of the access road and therefore any future comprehensive development on the remaining land would not be prejudiced.

In terms of policy GC7, the application represents a departure from the Development Plan. Planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise.

It is also clear that the strategic planning context has changed considerably since the adoption of the Local Plan in January 2004. The Regional Spatial Strategy (adopted 30th Sept 2008) requires 400 net additional homes to be built per annum in the former Macclesfield District between 2003 and 2021. This is a large increase over the numbers previously set out in the Cheshire Structure Plan alteration, which required an average of 200 per year between 2006 and 2011, dropping to 100 per year between 2011 and 2016. Housing provision in the Local Plan was addressed with regard to these lower figures.

The Strategic Housing Land Availability Assessment (SHLAA) shows that sufficient sites could be found in the future to meet the RSS requirement to 2021, although residential development on a number of these would involve a departure from the adopted Local Plan. Whilst the SHLAA is not policy and does not alter existing allocations, it does show that development on certain sites not currently allocated, or allocated for uses other than residential will be required to meet the RSS housing provision figure. The application site is included in the SHLAA with potential to contribute towards the 5 year housing supply.

The former Macclesfield Borough district has an ageing population with a higher proportion of pensioner households than the regional average (2001 Census) and population predictions indicate that there will be 13,400 additional persons in the over 65 age group by 2029. The 2004 Housing Needs Study suggests a requirement for sheltered accommodation of 1,200 private market units and 827 affordable units. Some of this requirement will be addressed by flow from the existing stock but there are issues around the acceptability of this stock to meet modern standards. In addition the need for affordable housing provision in the Borough is well documented. Despite recent changes in the economy, there remains a local affordability issue, with Macclesfield being one of the least affordable places in the region.

Whilst the proposed residential care home would not contribute to meeting this affordable and sheltered accommodation demand, the 42 close care cottages for over 55s would certainly help to address local housing need in this category. The proposed cottages are designed to meet the *Lifetime Homes Standard* and would provide a supply of high quality housing in a village setting connected to the existing urban settlement. Although the site is a Greenfield site, it is on the edge of an urban area and is within 500m of a bus stop, 600m from Handforth rail station and 800m from Handforth district centre. It is also adjacent to Handforth Dean with its large comparison and convenience shopping facilities. The site is therefore considered to be in a relatively sustainable location for the type of development proposed. In rating all sites

in the SHLAA, a sustainable rating for from A to D was given for each site, with A being the most sustainable and D being the least. The application site was rated as a B.

In conclusion, it is considered that there is a specialist housing need for the development that is sufficient to justify a departure from the site allocation in the Development Plan subject to other policy and site planning considerations. In particular this proposal offers the opportunity for a high quality development which will contribute to meeting the housing and care needs of the ageing population of the Borough.

### **Close Care**

As care villages are still a relatively recent concept there is still uncertainty as to the precise use class they relate to. Recent appeal decisions suggest that they fall within either a C2 use class, or a sui-generis use. Rather than distinguish between the care home, close care cottages and ancillary services it has been agreed with the applicant that the care village should be treated as a sui-generis use covering the whole site.

Close care is commonly defined as sheltered accommodation within the grounds of a care home, ensuring access to care as and when required. The proposed care village would operate differently than many other models as the care home on the site would not be providing the care service to the occupants of the cottages. The care services to the occupiers of the cottages would be bought in as part of an agreement within the lease.

A draft operational plan has been submitted. The applicant's business model would attempt to secure a balanced community across the site, varying from people over 55 with an independent life, to those with a higher degree of care dependency. Whilst it is inevitable that the care needs of any occupants would grow over time officers are keen to eliminate the possibility of the village being occupied by residents with no care needs at all on initial occupancy.

A care assessment would be undertaken of all prospective purchasers and as part of the basic service charge all occupants would receive 1 hour of domestic or personal help per week. Occupants would then purchase a care package above that level dependent on need. The applicant has agreed in principle that a minimum of 60% of the initial occupiers of the cottages and affordable dwellings would *require* at least a basic level of care following their initial care assessment. This could be written into the legal agreement.

The applicant has submitted a sequential analysis with the proposal, which concludes that there is no other more sustainable, available or feasible site in the search area to accommodate the proposed development. This is considered a fair conclusion, but on the basis that the proposed elements cannot be disaggregated. In theory, as the care home would not be providing the on site care to the close care cottages, those elements of the scheme could be disaggregated. The applicant is stating that the geographic proximity of the care home to the rest of the village would provide an important continuity and accessibility factor for residents of the cottages who may ultimately require full time care in the proposed care home. Members must consider whether the applicant's proposed justification for the village in one geographic location is a robust argument. It would clearly be preferable if there was a higher level of integration between the care home and the rest of the village, but on balance the proximity of the care home to the rest of the village is considered to be a valid

material consideration. Members must also consider the merits of the “village” concept of the development which clearly is a constraint to site selection by requiring a relatively large land area. Other Brownfield sites could potentially be available in terms of providing a similar number of close care units, but this would provide a much higher density form of development that does not fit with the applicant’s care village concept.

## **Policy**

PPS1 states that sustainable development is the core principle underpinning the planning process. Planning should facilitate and promote sustainable patterns of development through protecting and enhancing the natural and historic environment, and ensuring high quality development through good design and efficient use of resources.

Development which contributes to the creation of safe, sustainable, mixed and liveable communities is encouraged. The concentration of mixed use developments, use of previously developed land, building in sustainable locations and those well served by a variety of public transport is a key to this approach. Clearly this proposal does not make use of previously developed land, and many of the objections received in the representations contest that the site is not in a sustainable location.

The requirement in PPS3 is that planning authorities create sustainable and mixed communities which meet the different household needs of its population. These needs will be based on tenure, price and the accommodation requirements of specific groups such as older people. This proposal for specialist housing in a care setting clearly complies with this national policy objective.

Policy L4 of the Regional Spatial Strategy sets out the framework for regional housing provision. Targets for housing provision and criteria by which to appropriately achieve those targets are set out in the policy. It is stated that Local Authorities should work in partnership with developers and other housing providers to address the housing requirements (including local needs and affordable housing needs) of different groups. This should be achieved taking account of the spatial principles of the RSS and advice in national guidance PPS3. Affordable Housing provision is dealt with in policy L5. This policy sets out delivery mechanisms to secure provision of affordable housing. One of the objectives is to ensure that wherever possible, the property remains affordable and available in perpetuity. This would be achieved as part of the s106 legal agreement. Policy R2 deals with managing travel demand with a key objective being to ensure that major new developments are located where there is good access to public transport, backed by effective provision for pedestrians and cyclists to minimise the need to travel by private car. This is also emphasised in policy RT9. As discussed above, the site is considered to be in a relatively sustainable location and has reasonably good access to public transport and provides a choice of modes of travel other than the private car.

In addition to the strategic policy issues noted above, specific development control policies are relevant to this proposal. Policy DC57 of the Local Plan sets out criteria for residential institutions. The site must be close to local facilities such as bus services, local shops and other community facilities and is normally sited in a residential area. A concentration of specialist housing and care facilities should be avoided. Amenity of neighbouring property should not be harmed. A reasonable sized private garden with a pleasant aspect must be

provided. Adequate parking and safe access should be provided. Policies BE1 and DC1 of the Local Plan seek to ensure a high quality of design in new development that is of appropriate scale and sympathetic to the site and its surroundings. Policy DC5 encourages the layout of developments to reduce the risk of further crime. Policy DC6 requires safe convenient access, including access to bus routes. Policy DC8 sets out criteria for landscaping and policy DC9 requires the protection of trees of amenity value. Other relevant policies are dealt with under the respective issues below.

### **Impact on setting of Handforth Hall**

Policy BE16 of the Local Plan states that development that adversely affects the setting of a listed building will not normally be approved. The applicant has had extensive pre-application discussion with officers in respect of the impact on the setting of Handforth Hall, a Grade II\* listed building. The conservation officer has no objections to this proposal. The revisions since the previous application mean that all of the Open Space land to the west of the site would be retained as a natural buffer to the curtilage of Handforth Hall. As such the setting of the Hall is considered to be safeguarded by this proposal.

### **Archaeology**

In response to suggestions that the site may include a chapel and burial ground of archaeological interest, with historic connections to Handforth Hall, the applicant has commissioned a desk-top. The County's senior officer responsible for archaeological regeneration is satisfied with the conclusions of the report that no further work is required.

### **Impact on residential amenity**

The interaction of the proposed development with adjoining residential uses is restricted to the Western end of the site. Properties close to the development include those on Wadsworth Close, Hall Road and Old Hall Crescent. Objections have been raised about potential overlooking into private garden areas. The nearest 2 storey cottages to those properties, plots 26 and 27 would comply with the guidelines for space, light and privacy set out in policy DC38 of the Local Plan. It is not considered that there would be any harmful impact on living conditions as a result of the proposed development and therefore the proposal would accord with policies DC3, DC38 and H13 of the local plan.

### **Noise**

Objections have been raised on the basis that the location of the care home adjacent to the A34 bypass is unsuitable due to noise for future inhabitants. The east elevation of the care home would be located approximately 60 metres from the bypass, at a point where traffic is slowing down toward the Handforth Dean roundabout. PPG24 sets out guidance for noise sensitive development, outlining categories of noise which would be deemed unacceptable for the location of residential property. Given the embankment between the bypass and the 60 metre distance to the proposed care home, change in ground levels and extensive vegetation, the environmental health officer is satisfied that noise levels would be within accepted standards subject to conditions for sound insulation.

## **Public Rights of Way**

The previous proposal involved the diversion of Public Footpath 91 that links Hall Road and Coppice Way. The development site as proposed would now be contained to the east of the footpath and no diversion is required.

## **Highways**

A transport statement and a draft framework travel plan have been submitted with the application.

Whilst the site is not adjacent to the public transport network, it is an a reasonably sustainable location being approximately 500m from the bus stop on station road, approximately half a mile from the centre of Handforth and near to the Handforth Dean Shopping complex. This is considered to be in accordance with the objectives of policies DC6 and DC57 of the local plan.

The Highway Authority has raised no objections to the proposed development in terms of parking provision and the new access proposed. Given the nature of the residential development and the relatively sustainable location of the site, the allocation of 1 space per dwelling is considered acceptable. 16 parking spaces, including 2 for the disabled, would be provided at the front of the care home, this is below the standard normally required by Cheshire County Council standards, which would be 19 spaces and disabled parking provision. However, the highway authority is satisfied, on balance, that this is acceptable, and that any potential overspill onto the public highway could be dealt with by traffic regulation orders. The draft framework travel plan would also help reduce car dependency. A legal agreement would be required to secure and monitor the implementation of a fully detailed travel plan.

The Highway Agency was consulted on the withdrawn application and confirms that the development will have a negligible impact on the trunk road network.

## **Design and visual impact**

National planning guidance in PPS1 and PPS4 seek to achieve high quality and inclusive design which takes opportunities available for improving the character and quality of the area and the way it functions. As the site is green field, the development clearly has a landscape impact. An area that is currently agricultural / open space land will be occupied by an urban form. The layout has been influenced by the natural and physical constraints of the site, particularly the ponds within the site and the location of Handforth Hall to the west. The more dominant care home building would be located to the north-east corner of the site, away from Handforth Hall, and would be viewed in the landscape against the backdrop of the planted mound along the A34 bypass. Existing mature vegetation would provide good natural screening from the west, north and east vantage points. The most prominent local vantage points from outside the site would be from the south, where the care village will be viewed above the existing mature hedge that forms the southern boundary of the site, and from the public footpath that forms the western boundary of the site. The 2 storey dwellings would respect the scale of existing dwellings near to the site accessed from Hall Road. Whilst the proposal clearly involves a change in landscape, the overall massing and layout of the

development is considered to respect the constraints of the site and is sympathetic to adjoining buildings and its surroundings.

The care home building would have a U-shaped footprint, creating its own internal courtyard at the rear, which would create a modest private outdoor space for residents. Criterion 4 of policy DC57 requires appropriate private garden space to be provided in the order of 10 sq m per resident. Unlike the previous application this standard would now be met. The architecture is of a traditional design, with arts and craft influences. It would be a brick building with timber detailing and render and herringbone brick infill and slate roof. The design has been influenced by details of Handforth Hall, but sited a good distance from the Hall there is no danger of it competing with or overbearing the Hall.

The proposed close care cottages are also of a traditional design with appropriate materials and detailing, providing some variety of materials and design details but maintaining a commonality that adds cohesion to the development. The layout of the housing provides interest with features such as the crescent framing the village green.

The proposed community centre has a colonial design influence and provides a focal point for the development. The building has a first floor within the roof space, and its heavier roof form and clock tower are considered to give it an appropriate identity as a communal building.

The development also re-establishes the ponds within the site, and along with the proposed village green, this helps to provide aesthetically pleasing aspects to the overall layout. The design achieves a housing density of 29 dwellings per hectare, which is now just below with the normal requirements of PPS3 which seeks at least 30 dwellings per hectare. However, taking account that the reduction in density is largely a result of responding to site planning concerns raised during the previous application, which had a density of 36 dwellings per hectare, the proposed housing density is considered to be appropriate for this particular site.

Whilst the development would not be in the public realm, officers raised objection to an earlier scheme due to its lack of reference to the design guide 'Manual for Streets'. The key objective of which is to place the layout of the buildings first and the road layout afterwards. The proposed layout is an improvement in this respect, with the access road within the site given less dominance and the position of the buildings providing more interest by reducing site lines through the site. The result is a site that would be more pedestrian friendly and less car dominant.

### **Landscaping and tree protection**

Policies DC8 and DC9 of the local plan require schemes to have appropriate landscaping and ensure the retention of trees of amenity value. Policy EM1 of the RSS seeks to avoid damage to landscape assets, enhance biodiversity assets and mitigate any unavoidable loss in resources. The site has no special designation of landscape interest.

The site is characterized by a mound along the northern boundary of the site adjacent to Coppice Way, intersected along its length by a footpath (footpath 91), which links Hall Road with the retail development. The mound has been landscaped with trees comprising of a mix of Oak, Aspen, Cherry, Field Maple, Silver Birch, Hazel, Hawthorn, Rowan, Alder and

Flowering Crab. There is also evidence of natural regeneration/seeding of Goat Willow and Ash occurring within the mound.

The southern section of the site is generally flat/slightly undulating and comprises of scattered groups and some isolated individual trees comprising predominantly of Sycamore, Ash, Goat Willow and Crack Willow. The strongest visual element of the site is the Hawthorn hedge, which delineates the southern boundary of the site along footpath 127, which links Hall Road and the Total Fitness Centre over the Wilmslow/Handforth bypass. The hedgerow consists primarily of Hawthorn, with occasional Elder and is shown for retention on the submitted layout plan. The retention of this feature is to be welcomed. Historical and ecological information received so far suggest that it is unlikely to meet the necessary criteria to be classified an 'important hedgerow'. Officers have assessed that impact on a precautionary basis, however, and the hedge is specified for retention so there would be no breach of the regulations in any event. The applicant is proposing railings on the inside of the hedgerow to delineate the curtilage of the development. This would aid the protection of the hedge and, should it be proven that the hedgerow is an 'important hedgerow' it would ensure that the 1997 regulations would continue to apply and hence ensure its future protection. The Council's officer for arboriculture initially recommended a 3 metre distance from the hedge to the railings to protect the roots of the hedge. This is not shown on the submitted layout and could also lead to post development maintenance issues. It is feasible for the railings to be erected alongside the hedge without compromising it and a construction method statement could be conditioned to ensure the long term protection of the hedge.

The reduction in site area means that the trees west of the public footpath can now be retained. It is the view of the Council's officer for arboriculture that none of the trees shown for removal are of sufficient significance that they cannot be adequately mitigated for in a landscaping scheme. The details of a landscaping scheme would be dealt with in the reserved matters.

The Council's landscape architect has not raised an objection to the proposals but has raised several issues that would need to be dealt with during the reserved matters application. There are currently no proposals to improve the adjacent Open Space for recreational purposes, due to nature conservation interests this would be limited in scope but could be achieved in conjunction with the implementation and management of the Open Space land for Great Crested Newt mitigation and can be dealt with by condition.

A key issue relates to the proximity of dwellings to the northern-planted mound that would screen the development from Coppice Way. It has been clarified that some tree removal on the fringe of the slope within the site will be required. The buildings have been moved further away from the northern slope from the previous application and sections have been provided that illustrate the relationship with the trees on the slope. The trees and shrubs in this area will require pruning to prevent encroachment and shading. This should form part of a landscape and habitat management plan that would be required across the site.

## **Ecology**

The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or resting places in the interests of public health and public



safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment and provided that there is

- no satisfactory alternative and
- no detriment to the maintenance of the species population at favourable conservation status in their natural range

The UK implemented the Directive by introducing The Conservation (Natural Habitats etc) Regulations 1994 which contain two layers of protection: a requirement on Local Planning Authorities (“LPAs”) to have regard to the Directive’s requirements above; and a licensing system administered by Natural England.

Macclesfield Borough Local Plan Policy NE11 states that development which would adversely affect nature conservation interests will not normally be permitted.

Circular 6/2005 advises LPAs to give due weight to the presence of protected species on a development site to reflect EC requirements. “This may potentially justify a refusal of planning permission.”

PPS9 (2005) advises LPAs to ensure that appropriate weight is attached to protected species “Where granting planning permission would result in significant harm .... [LPAs] will need to be satisfied that the development cannot reasonably be located on any alternative site that would result in less or no harm. In the absence of such alternatives [LPAs] should ensure that, before planning permission is granted, adequate mitigation measures are put in place. Where ... significant harm ... cannot be prevented or adequately mitigated against, appropriate compensation measures should be sought. If that significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused.”

PPS9 encourages the use of planning conditions or obligations where appropriate and again advises [LPAs] to “refuse permission where harm to the species or their habitats would result unless the need for, and benefits of, the development clearly outweigh that harm.”

The converse of this advice is that if issues of detriment to the species, satisfactory alternatives and public interest seem likely to be satisfied, no impediment to planning permission arises under the Directive and Regulations.

A phase 1 habitat survey and great crested newt (GCN) survey was undertaken by the applicant. Natural England has been consulted. The original application was withdrawn due to the presence of garden ponds in the grounds of Handforth Hall, which had not been picked up on the original GCN survey, and which were considered potentially to support a GCN population. An updated survey has been undertaken which reveals the presence of Great Crested Newts, a European Protected Species, and a mitigation strategy is now proposed. Whilst the application site itself does not show to contain breeding ponds for GCNs, the site is well within the foraging areas that would be used by the newts. Given the potential impact on GCN habitat, the developer would require a license from Natural England.

The phase 1 habitat survey stated that the site is unlikely to provide habitat for bats, also a European Protected Species. However, Natural England have recently suggested that a bat survey should be undertaken for the avoidance of doubt. This survey has been undertaken and submitted which has shown evidence of bats using the area for foraging. The nature conservation officer is satisfied with the results on the survey and that there would be no adverse impact on bats, subject to the retention of several trees with potential for bat roosts.

### Alternatives

The site area has been reduced from the previous application, which reduces the impact on habitat and provides a larger area for mitigation measures. The applicant has submitted a sequential analysis which concludes that there would be no realistic alternative sites in the area to provide the kind of care village proposed. It is also clear that there is no alternative way a care village could be provided on this site without having an impact on the GCN habitat. Taking these factors into account it would be reasonable to conclude that there are no satisfactory alternatives to the scheme proposed.

### Overriding public Interest

As the proposal is contributing to a specialist housing / care need for the Borough's ageing population it would also be reasonable to conclude that the proposal is helping to address an important social need.

### Mitigation

In line with guidance in PPS9, appropriate mitigation and enhancement should be secured if planning permission is granted. A comprehensive mitigation scheme has been proposed, which essentially utilises open space land to the west of the application site to improve GCN habitat in this area. The Council's nature conservation officer is satisfied with these proposals subject to appropriate conditions.

On the basis of the above it is considered reasonably likely that the requirements of the Habitats Directive would be met; Members must form a view on this issue.

### Other ecological issues

The impact on breeding birds and other fauna is also a material consideration to the application. The mitigation proposals will satisfactorily ensure bio-diversity interests are secured and conditions, including time of year for development, are necessary to prevent harm to breeding birds.

Toads are also present on the site. This species is a national BAP priority and hence a material consideration. The mitigation formulated for Great Crested Newts will have similar benefits for this species.

Ponds are both a local and national priority habitat and hence a material consideration. All three existing ponds will be retained on site. Unfortunately, two of these are proposed for water balancing purposes and as such their nature conservation value is likely to be reduced. As three new ponds are proposed as part of the habitat creation scheme for the proposal the

impacts on these ponds will be adequately mitigated for. The design of the ponds on site should be agreed by the LPA as part of the habitat management plan to be secured by legal agreement.

Semi-improved neutral grassland formally occurred across part of the proposed development site. This habitat has recently been destroyed by ploughing and re-sowing with an agricultural crop. Whilst this grassland did not support any particularly uncommon species it was considered to have some ecological value within the local context. Replacement grassland habitat is proposed as part of the scheme.

### **Flood Risk**

Objections have been raised regarding potential localised flooding due to a large reduction in soakaway capacity over the site due to the proportion of building footprint and hardstanding across the site. There has also been anecdotal evidence of flooding of the existing footpath through the site. The applicant has submitted a flood risk assessment detailing proposed storm water drainage. It stated that the drainage system will be designed using Sustainable Urban Drainage System (SUDS) techniques. The Environment Agency is now satisfied with the proposals and therefore the application is considered acceptable in this regard.

### **Renewable energy**

Policy EM18 of the Regional Spatial Strategy deals with decentralised and renewable energy supply. National guidance in PPS1 and PPS4 specify the importance of responding to climate change. PPS4 requires planning applications for economic development to demonstrate that the proposal has been planned over the lifetime of the development to limit carbon dioxide emissions. In advance of local targets being set through the Cheshire East Local Development Framework, EM18 requires that all major developments secure at least 10% of their predicted energy requirements from decentralised and renewable or low carbon sources, unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that it is not feasible or viable. The applicant has submitted a report stating that the 10% target is not viable. Instead the applicant's submission incorporates measures for energy efficiency which are to be welcomed. However, it is considered that it has not been satisfactorily demonstrated that the 10% target cannot be met, particularly given the advantages of a Greenfield site and potential to meet a proportion of energy demand from the care home, community centre from renewable energy sources. The analysis submitted does not fully evaluate the cost and benefit of the available technologies, for example calculating a saving through solar heating and the consequent additional market price per unit that could be achieved by the developer taking into account rising non-renewable energy prices. It is recommended that a condition be imposed requiring the 10% target to be met unless a more robust evidence base can demonstrate that it is not viable.

### **HEADS OF TERMS**

The applicant has submitted a draft head of terms for a s106 legal agreement. This covers the following:

- Occupation for persons over 55 years (or younger with care needs)
- 'Cascade provision' to ensure the development meets local needs first

- Provision of affordable housing at 80% of market value (with qualifying criteria)
- An operational plan for the close care cottages
- Individual travel plans for the care home and close care cottages.
- Monitoring fees

Further detail and amendments are required including:

- Minimum 60% of occupants of close care and affordable dwellings requiring a more than minimal care need as demonstrated through the care assessment, on first occupation.
- Leasehold resale / shared ownership scheme for the affordable housing element
- LPA to approve any sales documentation for the close care cottages
- LPA to approve the operational plan for the close care cottages and no variations or amendments to be made to such without the LPA's consent. The operational plan should remain in operation while the development is occupied.
- Timing of the development to ensure the care home and the close are cottages are built out together
- Provision of a Traffic Regulation Order
- Design and construction of the site access roads

### **Other matters**

Members will be aware that the previous application would have been referred to the Government Office North West had Members been minded to approve it. However, the Town and Country Planning (Consultation) (England) Direction 2009 now applies and as such this proposal does not meet the criteria for a referral.

### **CONCLUSIONS AND REASON(S) FOR THE DECISION**

The proposed development represents a departure from the Development Plan due to the development of land designated as Safeguarded Land (policy GC7) within the Macclesfield Borough Local Plan. There is therefore a policy presumption against this development and Members must make a decision in accordance with the Development Plan unless it is considered that material considerations warrant a departure from policy. Members face a different balance in determining this application when compared to the recently refused proposal because the application site no longer encroaches into the Open Space land adjacent to Handforth Hall.

The proposal is considered to comply with all other relevant policies of the Development Plan. There are also other material considerations to be considered as outlined in the report, in particular the impact on European Protected Species.

The impact on European Protected Species and other ecological interests has been assessed by the Council's specialist nature conservation officer and has been referred to Natural England for comment. It is considered that the proposal accords with the relevant national guidance in PPS9 and ODPM Circular 06/2005. There is also not considered to be any reason, having regard to the Conservation (Natural Habitats &c.) Regulations 1994, to withhold planning permission in this case.

It is considered that the proposal would provide a valuable contribution towards meeting a specialist housing need for a vulnerable group of people within the Borough. It is considered that this is a material consideration that should be afforded significant weight. In the light of section 38(6) of the Planning and Compulsory Purchase Act 2004 it is considered that there are sufficient material considerations in favour of the proposal to outweigh a decision wholly in accordance with the Development Plan. As such the application is recommended for approval subject to conditions and the completion of a s106 legal agreement.

#### Application for Outline Planning

RECOMMENDATION: Approve subject to following conditions

1. A01OP - Submission of reserved matters
2. A02OP - Implementation of reserved matters
3. A03OP - Time limit for submission of reserved matters
4. A06OP - Commencement of development
5. A01AP - Development in accord with approved plans
6. A05TR - Arboricultural method statement
7. A14TR - Protection of existing hedges
8. A17MC - Decontamination of land
9. A08MC - Lighting details to be approved
10. A19MC - Refuse storage facilities to be approved
11. A22GR - Protection from noise during construction (hours of construction)
12. A01MC - Noise insulation
13. A08HA - Gates set back from footway/carriageway
14. A24HA - Provision / retention of service facility
15. A01HP - Provision of car parking (care home)
16. A01HP\_1 - Provision of car parking (close care cottages)
17. A26HA - Prevention of surface water flowing onto highways
18. Drainage
- 19.
20. Visibility splays (close care cottages)
21. Construction of access road in accordance with Council highway design aid
22. Lighting of public footpath
23. Short-stay / visitor cycle parking facilities

24. No construction of care home or care cottages until the access road from Coppice Way is constructed up to the laying course
25. Development in accordance with the approved Flood Risk Assessment and mitigation measures
26. Decentralised energy scheme
27. Care cottages to meet code for sustainable homes
28. No fires on site during construction
29. Control of dust emissions during construction
30. Breeding birds - protection
31. Breeding birds - enhancement
32. 10 year landscape and habitat management plan to be submitted and implemented
33. Scheme for ecological mitigation (including off-site pond and habitat creation)



09/3023M

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Application No: 09/3050M

Location: LAND SOUTH OF, COPPICE WAY, HANDFORTH, WILMSLOW, CHESHIRE

Proposal: FORMATION OF NEW VEHICULAR ACCESS FROM COPPICE WAY AND ASSOCIATED ENGINEERING WORKS

Applicant: GREYSTONE (UK) LTD

Expiry Date: 17-Dec-2009

**Date Report Prepared: 07 January 2010**

**SUMMARY RECOMMENDATION**

Approve subject to the imposition of conditions

**MAIN ISSUES**

Justification for the development, highway safety and landscape impact.

**REASON FOR THE REPORT**

This application has been separated from the main application site for the care village purely for landownership reasons and to prevent complications of a legal agreement if it is approved.

**DETAILS OF PROPOSAL**

This proposal seeks to provide a new access from Coppice Way to the proposed care village. The development would involve cutting through the wooded embankment that forms the northern boundary of the proposed care village site.

The relevant issues and policy relating to the overall care village development are discussed in the parallel report on the agenda reference 09/3023MM, and they will not be repeated here. The key site planning issues relating specifically to the proposed access road are considered to be those of landscaping, trees and highway safety.

**RELEVANT HISTORY**

09/0708M Formation of new vehicular access from Coppice Way & engineering works.  
Refused 19 August 2009.

08/1848P Formation of new vehicular access from Coppice Way & engineering works.  
Withdrawn 07 November 2008.

## **CONSULTATIONS (External to Planning)**

**Highway Engineer** – There are no objections to the proposal to construct a new access off the existing Coppice Way roundabout. The route as identified within the area edged red on the submitted plan is satisfactory in its overall layout following pre-application discussions. The road will need to be constructed as a local distributor road, to cater for likely future development south of the site identified under 09/3023M, in accordance with the departments Design Aid for Housing, Commercial and Industrial Estate Roads under a section 278 agreement of the Highways Act 1980.

## **OTHER REPRESENTATIONS**

25 letters of objection have been received, but objections to the related application for the care village may also be considered relevant in part. The letters refer to general objections to the entire care village development, however specific objections relating to this section of access road include:

- Loss of landscaping which is required to screen the A34 bypass from residential property. Therefore resulting in increased noise and light pollution;
- Loss of trees and wildlife habitat;
- Threat to highway safety and inadequate traffic survey;
- No provision for pedestrians;
- Loss of open space;
- Contrary to local plan policy RT6;
- Future development of safeguarded land will follow.

## **OFFICER APPRAISAL**

### **Policy**

The site is designated within the Macclesfield Borough Local plan as Open Space and adjoins an area of Safeguarded Land. Policy GC7 states, inter alia, that if the safeguarded land is to be developed in the future, access will be taken from Coppice Way. Therefore, subject to an acceptable development scheme on the safeguarded land to the South, the principle of an access from Coppice Way is established in Development Plan policy. Pre-application consultation undertaken by the developer demonstrated a strong local opposition to an additional access from Hall Road and the plans were altered on this basis.

If Members resolve to approve the proposed care village then there is no objection in principle to the proposed access, and indeed the access point proposed would be the most preferable to the site. However, if Members resolve to refuse the care village application then clearly there would be no justification for this development.

### **Highways**

As detailed in the comments from the Highway Engineer there are no objections on the basis of highway safety arising from the proposed development.

## **Landscaping**

The route of the access will necessitate the removal of a section of tree planting on the mound, which will extend beyond just the width of road itself. Clarification would be necessary as to the extent of re-grading required for the new embankment detailing to ensure the minimum construction works necessary to achieve the access without compromising unreasonable numbers of trees. This could be dealt with by condition. The Council's landscape and tree officers raise no objection subject to the requirement for a method statement to ensure tree loss is minimised.

The proposed cut-through is located towards the eastern end of the site (of the proposed care village) this is well away from the residential areas near Hall Road and as such there is not considered to be an issue in terms of impact on residential amenity resulting from a break in the existing landscape screen.

## **Ecology**

The ecological impact is dealt with as part of the wider survey and mitigation proposals submitted with planning application 09/3023M for the care village itself. No additional ecological concerns are raised by the creation of the access subject to appropriate conditions to ensure the protection of breeding birds and other wildlife.

## **Phasing**

The access will be required to be constructed up to the laying course prior to the construction of the care village. However, it is also important to ensure that works to the access do not take place prematurely and therefore a phasing proposal would need to be submitted to the LPA for approval prior to the commencement of development, which would include a completed contract for development of the care village under application 09/3023M.

Notwithstanding this, the associated application 09/3023M, if approved, would be subject to the completion of a s106 legal agreement. It is therefore recommended that the decision on this application should be delegated to the Head of Planning and Policy for approval subject to conditions, to enable a formal decision on both applications to be issued together. This would also enable the application to be brought back before the Strategic Planning Board in the event that there is a problem with the legal agreement.

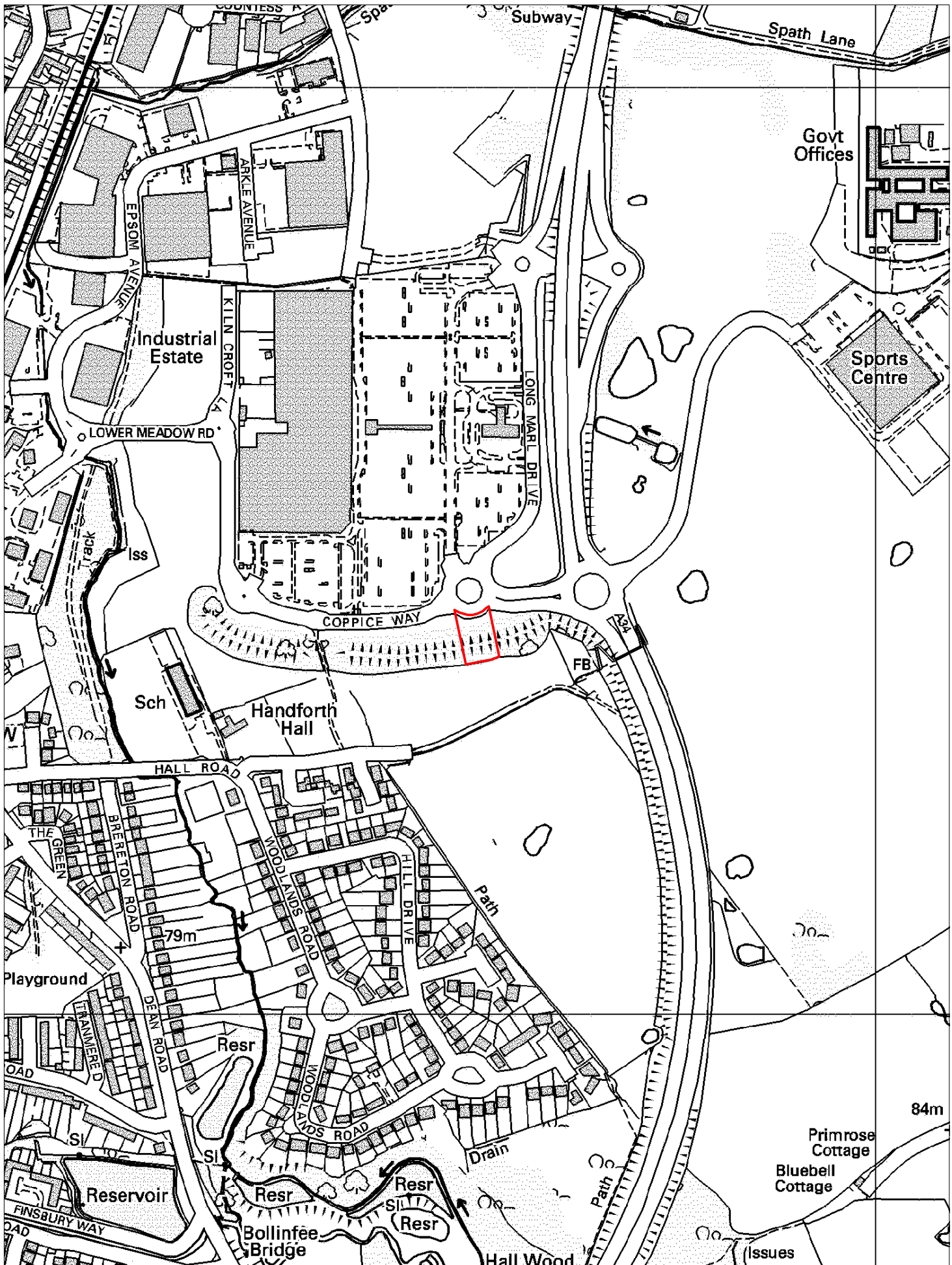
## **CONCLUSIONS AND REASON(S) FOR THE DECISION**

The development of safeguarded land would require an access to be created from Coppice Way. Subject to approval of the associated care village development there is therefore no objection in principle to this proposal. Conditions are required to ensure landscape and ecology impact is minimised and the proposal will be acceptable in terms of highway safety and design. The proposal is therefore recommended for delegation to the Head of Planning and Policy for approval subject to conditions.

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A01LS - Landscaping - submission of details
4. A04LS - Landscaping (implementation)
5. A04TR - Tree pruning / felling specification
6. A05TR - Arboricultural method statement
7. Phasing of development - no development before contract in place for the development of the care vilage under planning permission ref 09/3023M and subsequent reserved matters.
8. Requirement to enter into Section 278 Agreement, under the Highways Act 1980.
9. Protection of breeding birds



09/3050m

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<b>Planning Reference No:</b>	P09/3535C
<b>Application Address:</b>	Land Southwest Of, Old Mill Road, Sandbach, Cheshire
<b>Proposal:</b>	Proposed housing development consisting of 43no. 1, 2, 3, & 4 bedroom dwellings
<b>Applicant:</b>	Morris Homes Ltd
<b>Application Type:</b>	Full
<b>Grid Reference:</b>	375745 360498
<b>Ward:</b>	Sandbach East and Rode
<b>Earliest Determination Date:</b>	20 January 2010
<b>Expiry Dated:</b>	24 February 2010
<b>Date of Officer's Site Visit:</b>	29 December 2009
<b>Date Report Prepared:</b>	7 January 2010
<b>Constraints:</b>	Wind Turbine Dev. Consultation Area

#### **SUMMARY RECOMMENDATION:**

- **APPROVE** subject to signing and completion of a S106 agreement and imposition of conditions and that authority be delegated to the Head of Planning and Policy to approve subject to the successful conclusion of negotiations requiring affordable housing and public open space.

#### **MAIN ISSUES:**

- **The acceptability of the development in principle**
- **Layout, design and street scene**
- **Impact on neighbour amenity**
- **Provision of affordable housing**
- **Open space provision**
- **Renewable energy**

### **1. REASON FOR REFERRAL**

This application has been referred to the Strategic Planning Committee due to the significance of the application in terms of its location on one of the principle junctions in Sandbach and the scale of development proposed.

### **2. DESCRIPTION OF SITE AND CONTEXT**

The site is located on the edge of Sandbach town centre and is adjacent to the Old Mill Roundabout which joins the A534 Crewe Road to the A533 to Middlewich.

The site is bounded to the north by the existing Homebase store from which it shares an access of the main A533. The boundary between the

two sites is defined by a close boarded fence with railings and a wall some 2.0m in height. To the west is an existing football pitch with associated pavilion. This site has recently received planning consent to be redeveloped into an extra care facility (ref 09/3400C).

To the east lies the Old Mill Road Roundabout and to the south there is a ribbon of vegetation and planting that follows the line of the A534 forming a soft boundary to this part of the site in contrast to the more defined boundaries to the north and west

The site itself is relatively level but does slope on the eastern side leading to the by-pass. There is also a slight drop down outside of the boundary of the site to the Homebase site which sits at a lower ground level than the site.

The site is in close proximity to the town centre being a relatively short walk past Waitrose which lies to the north of the A533.

The site has been remediated as part of the work undertaken in line with an earlier permission granted on the site and its current character is one of intermittent vegetation resulting in an untidy appearance. The site is also bounded on the north and east by hoardings protecting the area from intrusion.

### **3. DETAILS OF PROPOSAL**

This application is for the development of 43 dwellings at an average density of nearly 33 d.p.h. comprising of a mix of detached and semi-detached houses with the remainder made up of apartments. In total, the split will be 31 houses and 12 apartments. The majority of the development will be open market housing but 2 dwellings or 5% of the total will be for affordable housing.

Although most of the development will be two storey, some of the units will be three storey in nature.

It is proposed that the scheme will be accessed off the roundabout leading to Homebase.

Although the site benefits from consent granted in 2007 (see below) the applicants have submitted this scheme to introduce a different mix of property types on the site to more closely reflect the requirements of the current housing market which has shifted away from apartments to more traditional forms of accommodation.



#### **4. RELEVANT HISTORY**

There are two main applications in respect of this site.

Application 37691/3 was approved on 26 September 2007 for the development of 70 private dwellings and associated works. This was for a scheme predominantly comprising of apartment but linked to a section 106 agreement to provide a financial contribution in respect of public open space and to secure 25% of the dwellings i.e. 18 units for shared ownership tenure. This was to comprise 17 apartments and 1 mews flat.

The second application, 05/0265/FUL approved on 25 October 2007 was for the development of the Homebase store and the access roundabout off Old Mill Road. This scheme was followed in 2008 with approval on 29 May of application 08/0595/FUL for the addition of a garden centre on the side of the store.

#### **5. POLICIES**

##### **National Policy**

PPS 1: Delivering Sustainable Development

PPS3 Housing

PPG 13: Transport

##### **North West of England Plan - Regional Spatial Strategy to 2011**

DP1 Spatial Principles

DP7 Environmental Quality

L1 Health, Sport, Recreation, Cultural and Education Service Provision

L4 Regional Housing Provision

L5 Affordable Housing

EM11 Waste Management Principle

EM18 Decentralised Energy Supply

##### **Cheshire Replacement Waste Local Plan**

Policy 11 (Development and Waste Recycling)

##### **Congleton Borough Council Local Plan First Review 2005**

PS4 Towns

H1 & H2 Provision of New Housing Development

H4 Residential Development in Towns

H13 Affordable and Low Cost Housing

GR1 New Development

GR2 & GR3 Design

GR4 & 5 'Landscaping'

GR6 & 7 'Amenity and Health'

GR9 Accessibility, Servicing and Parking Provision (New Development)

GR17 Car Parking

GR22 Open Space Provision

RC1 'Recreation and Community Facilities – General'

SPG1 Provision of Public Open Space in New Residential Development

SPG2 Provision of Private Open Space in New Residential Development

SPD6 Open Space Provision

**6. CONSULTATIONS (External to Planning)**

**Environmental Health**

Comments are awaited.

**Nature Conservation Officer**

Comments awaited.

**Affordable Housing Officer**

Comments awaited.

**Senior Landscape & Tree Officer**

Comments awaited.

**Highways**

The Strategic Highways Manager has assessed this application and has read the attached Traffic Statement from Singleton Clamp & Partners. The Strategic Highways Manager has confirmed that he agrees with the figures contained therein and that the proposed change in unit type for the development is acceptable.

**7. VIEWS OF THE PARISH / TOWN COUNCIL:**

No comments have yet been received from the Town Council. They have however indicated that they will be commenting on this proposal following the Christmas break.

**8. OTHER REPRESENTATIONS:**

None received.

**9. APPLICANT'S SUPPORTING INFORMATION:**

**Planning Statement**

The applicants have supported the application with a planning statement from Nathaniel Lichfield & Partners that seeks to justify the development and looks closely at policies appertaining to the scheme proposed and the relevant planning history of this site and the adjoining Homepage site.

The Statement also looks at the main planning issues and details why the scheme is considered by the applicants to be in compliance with the Local Plan and other policy guidance.

### **Transport Assessment**

A transport assessment undertaken by Singleton Clamp & Partners was prepared by the applicants and submitted with the application. This study shows the change in levels of impact between the permitted scheme and that currently proposed would be insignificant.

Accordingly, it is the consultants view that the development would not have a material impact on the operation of the local highway network.

### **Wildlife Surveys**

The applicant has recommissioned an Extended Phase 1 Habitat survey from Trevor Bridge Associates in respect of protected species that may be present on the site. This is an update to the original survey they undertook in 2004.

The survey found that no protected species had become established on the site since the time of the original survey.

### **Design and Access Statement**

The applicants have produced a Design and Access statement by Nathaniel Lichfield & Partners which examines the viability of the proposal and the character of the surrounding area. The report also looks at the earlier proposal in terms of its relationship to the surrounding area and the potential for improvements in the form of development proposed for the site.

### **Financial Statement**

The applicants have considered the viability of the development in light of the current housing market and submitted supporting information in respect of their offer of 5% provision of affordable housing on the site.

### **Sustainability Statement**

The applicant has submitted a statement detailing the specific measures that will be taken to incorporate sustainability measures into the dwellings and to promote waste management measures.

### **Sustainable Drainage Statement**

A report by REFA Consulting has been submitted detailing how attenuation measures will be employed on both this site and the adjoining Homebase store to reduce flow rates from the site in line with the guidance in PPS25.

### **Site Contamination Report**

Following the remediation of the site for the previous approval Opus Joynes Pyke have submitted evidence to show that the site is now clear of contamination.

### **Air Quality Assessment**

A report from the Waterman Group accompanies the application and shows that current pollutant levels around the site are well below the current air quality strategy standards and as such would be unlikely to give rise to health concerns.

### **Additional Material**

A draft Heads of Terms for a Section 106 agreement has been offered by the applicant. This details provision for public open space in line with the previous approval for 70 dwellings on site but reduced pro-rata to reflect the reduced number of dwellings on site. The agreement also details the framework for the provision of 2 dwellings (5% of the total site) for affordable housing to be managed through an RSL.

## **10. OFFICER APPRAISAL**

### **Principle of Development**

As the site already benefits from an extant approval for the development of 70 dwellings, it is recognised the principle of residential development on this site has already been established. What is at question therefore is the detail surrounding the scheme.

### **Layout, Design and Street Scene**

In appraising the current scheme, consideration has to be given to the extant approval which is an important material consideration.

The original scheme was a product of its time reflecting the move towards higher density development driven by apartments and flats. Whilst there are places within Cheshire East where such scheme would not only be acceptable but preferable to complement the character of the surrounding development.

The new scheme seeks to address these issues which are facilitated through the greater use of more traditional dwelling types as opposed to apartments. The layout now faces the street scene more effectively and where possible the majority of the parking is relegated to small courtyards leaving only a few cars on the frontage to ensure a degree of vitality remains about the area.

In considering each plot, it is felt that only unit 28 on the western side of the site represents a weakness to the layout with the boundary fence to the rear garden being a prominent feature. This could readily be resolved through the submission of an amended drawing showing the building re-orientated 90o clockwise to face the main road similar to its neighbours to the south. Whilst this means the neighbours to the north would face a gable elevation, this is felt preferable to the current arrangement on balance. This matter can be effectively addressed through the use of a condition.

The buildings themselves are traditional brick and tile properties and the developers have sought to provide a range of differing house types to ensure a degree of variety within the scheme which is brought together as a cohesive development through the use of a complementary range of materials.

### **Amenity**

Given the location of the development in respect of other developments, it is recognised that the scheme will not have an impact on existing properties in the area. It is noted however that consent has recently been given for the development of a new extra care facility on the land to the west. Given the distances involved however, it is felt that the two developments will not result in detriment to residential amenity levels and the scheme is therefore felt to be acceptable in this respect.

### **Landscape**

The site as it currently stands is clear of any significant landscaping features given the extent of remediation work that has been undertaken on the site.

A detailed landscaping scheme has been provided and this will bring some planting to the front of the dwellings helping to soften the character of the site.

### **Ecology**

In light of the habitat survey, it is noted that there are no protected species on the site. Accordingly, there are no objections to the development on these grounds.

### **Highways and Parking**

This matter has been considered by the Strategic Highways Manager. As the scheme is essentially similar to the earlier approval utilising the access past Homebase but comprising of a reduced number of dwellings, no objections are raised.

Like the earlier scheme, this proposal incorporates two access points leading to the land to the south which may come forward for development at a later date.

### **Contamination**

Extensive clearance work have been undertaken by the applicant following the granting of approval of the earlier scheme in 2007 and this has been verified through the supporting documents by Opus Joynes Pyke. As a result, it is felt that in principle there are no objections to this development proceeding.

The comments of the Environmental Health Officer are awaited however and should any conditions or objections be raised, these will be highlighted in an update sheet to Members.

### **Open Space Provision**

Policy GR22 requires the provision of Public Open Space. Policy GR22 requires that this public open space is of 'an extent, quality, design and location in accordance with the Borough Council's currently adopted standards and having regard to existing levels of provision'. It goes on to state that the 'Council may accept a commuted payment in lieu of on site provision, providing the alternative is near to and easily accessible from the housing site'.

Through the draft Heads of Terms for a Section 106 agreement, the applicants have offered to provide a financial contribution in lieu of provision. This is in line with the agreement reached in respect of the earlier approval subject to being discounted pro-rata in line with the reduction in the number of dwellings on the site.

The comments are awaited from the Streetscape officer and these will be referred to in an update sheet to the Committee.

### **Affordable Housing**

The earlier approved scheme provided for 25% of the 70 units to be delivered as shared equity dwellings.

Since that time however, the market has changed and the demand for shared equity properties has changed. In addition, the applicants are arguing that the scheme is not as financially viable as previously considered. As a result, they have reduced the provision to only 5% and supported this with a viability assessment and cited case law through recent appeal decision to support this stance.

One of these decisions is the recent Bath Vale case in Congleton where the applicant successfully proved that they could only afford a 5% provision on the site.

In this case it would appear on first reading that the viability of the site is slender but further advice from the Housing Officer has been sought on the suitability of the figures put forward by the applicants. An update to this will be provided through the update sheet for Members.

### **Renewable Energy**

Although the applicant has not met the requirements of the Region Spatial Strategy in showing that the development will provide 10% of its energy requirements through renewable energy sources, they have set out a series of building standards to provide for sustainable development.

These are felt to be appropriate measures and, given the difficulty the applicants are facing in providing an adequate level of affordable housing due to the limited viability of the development, are deemed to be acceptable. This can be secured through condition requiring the

development to be undertaken in accordance with the submitted details in the applicants Sustainability Assessment if the scheme is approved.

#### **Other Matters**

On the matter of drainage, it is felt that this scheme will represent an improvement over the approved scheme improving attenuation and minimising the risk of local flooding. It is recognised that the site has a low probability of flooding and on this basis no objection is raised to this aspect of the scheme.

### **11. CONCLUSIONS**

As indicated earlier, the principle of development on this site is accepted as the application site is on a brownfield and benefits from an extant approval for a larger residential scheme.

Although there are a number of details to be confirmed in respect of the level of affordable housing on the site and the contribution in lieu of public open space, it is felt that the overall scheme is not only acceptable but represents an improvement over the approved scheme in terms of the design and character of the development being proposed.

On this basis, it is felt that the scheme as a whole subject to the details as mentioned above is acceptable.

### **12. RECOMMENDATIONS**

**A: That subject to the satisfactory conclusion of negotiations by 22<sup>nd</sup> February 2010 regarding affordable housing and the provision of public open space and the signing and completion of a S106 agreement in respect of these matters, that authority be given to the Head of Planning and Policy to grant approval subject to the imposition of conditions.**

**B: Should no agreement be reached by the 23<sup>rd</sup> February 2010, then authority be delegated to the Head of Planning and Policy to refuse the application on the following grounds; a) The applicant has failed to demonstrate that the proposed development makes appropriate contribution to the delivery of affordable housing in line with the requirements of Policy H13 of the adopted Congleton Local Plan First Review 2005 and b) The applicant has failed to demonstrate that the proposed development makes appropriate contribution to the delivery of sufficient public open space in line with the requirements of Policy H4 of the adopted Congleton Local Plan First Review 2005**

#### **Heads of Terms for Legal Agreement**

1. Contribution towards public open space
2. Contribution towards affordable housing

**Conditions**

General

1. 3 Time limit
2. Development in accordance with submitted plans
3. Submission of material samples

Environmental Health

4. Hours restriction - construction.
6. Hours restriction - piling activity.

Highways and Drainage

6. Details of junctions to be submitted prior to the commencement of development
7. Drainage - surface water and sewerage to include SUDS.
7. Design of flood storage and mitigation.
8. Detailed junction design to be submitted and agreed.
9. Parking area to be completed and marked out prior to first occupation

Ecology and Trees

9. Breeding bird protection.

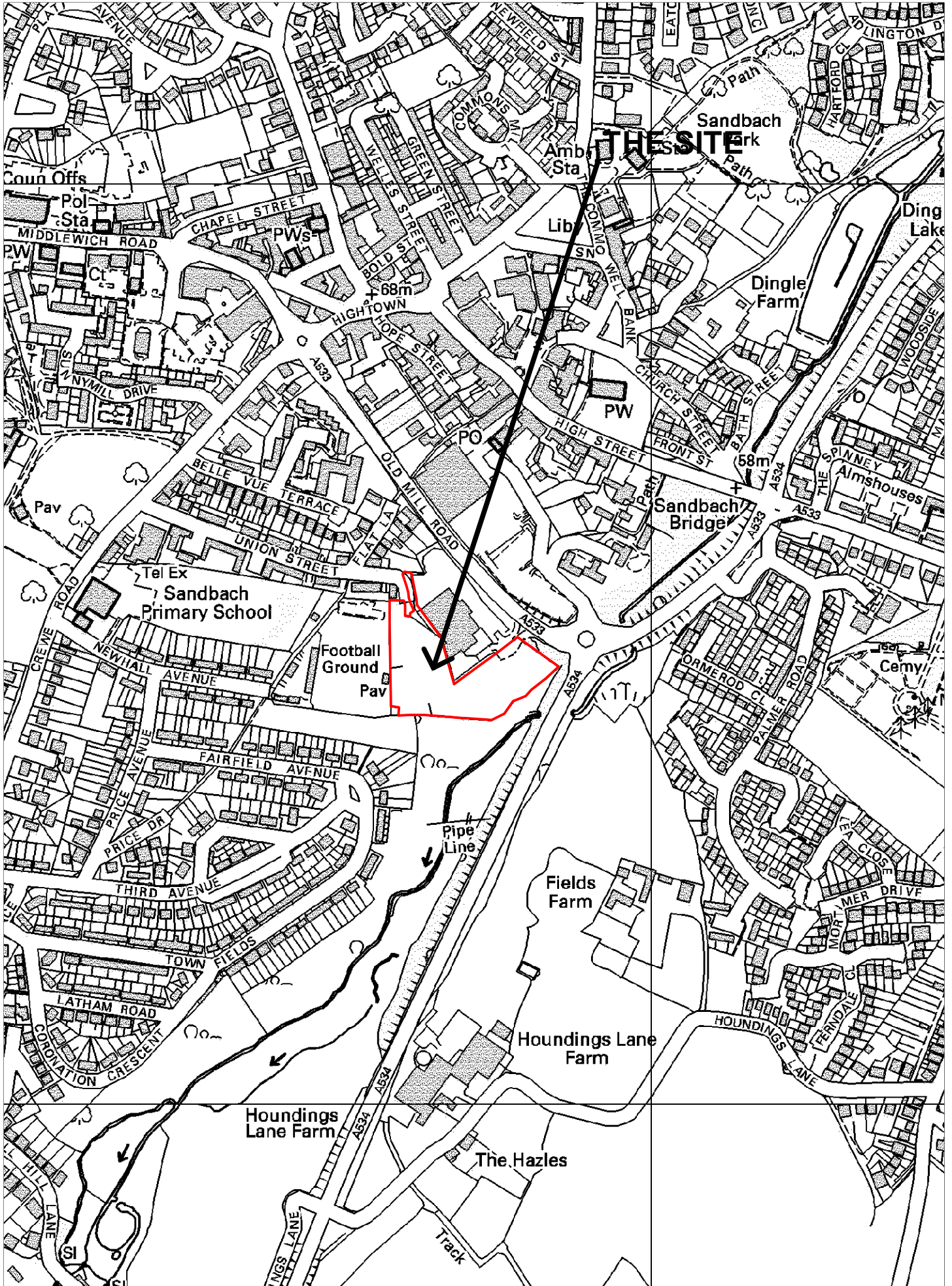
Sustainable Development

10. Waste management plan.
11. Development in accordance with submitted Morris Homes Sustainability Statement dated November 2009

Other Matters

12. Amended plans to be submitted in respect of the siting of plot no. 28
13. Landscaping in accordance with submitted details
14. Landscaping to be maintained for 5 years
15. Details of boundary treatments to be submitted





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<b>Planning Reference No:</b>	P09/3639C
<b>Application Address:</b>	13, Congleton Road, Sandbach, Cheshire, CW11 1HG
<b>Proposal:</b>	Demolition Of All Existing Buildings And The Erection Of 53 No. Retirement Apartments
<b>Applicant:</b>	Gladman Care Homes Ltd/Hackney
<b>Application Type:</b>	Full
<b>Grid Reference:</b>	375985 361087
<b>Ward:</b>	Sandbach
<b>Earliest Determination Date:</b>	17 December 2009
<b>Expiry Dated:</b>	29 January 2010
<b>Date of Officer's Site Visit:</b>	29 December 2009
<b>Date Report Prepared:</b>	7 January 2010
<b>Constraints:</b>	Wind Turbine Dev. Consultation Area

#### **SUMMARY RECOMMENDATION:**

##### **REFUSE on the following grounds:**

- The development represents an incongruous feature in the streetscene, out of context with the environment.
- The proposal, by reason of its close proximity to the southern boundary, scale and design, would, when viewed from Sandbach Park, appear obtrusive and would visually intrude into the park, to the detriment of the openness and character of the area.
- The proposed development by virtue of its location would be harmful to the continued effective operation of the existing public sewer.

##### **MAIN ISSUES:**

- The acceptability of the development in principle
- Layout, design and street scene
- Impact on neighbour amenity by reason of the scale and mass of the development proposed
- Provision of affordable housing
- Open space provision
- Sustainable development
- Renewable energy

## **1. REASON FOR REFERRAL**

This application has been referred to the Strategic Planning Committee due to the significance of the application in terms of its scale, prominent location and impact on the character of the Town Park.

## **2. DESCRIPTION OF SITE AND CONTEXT**

The majority of the site comprises of a former petrol filling station and haulage depot on Congleton Road approximately 50m north of Sandbach town centre and within the development boundary. A two storey residential property also forms part of the site on the north western corner.

The site is roughly rectangular in shape extending to a point on the north eastern end of site and covers an area of approximately 0.47 Ha.

Currently on the site is barrel roofed building at the front of the site and a number of smaller single storey structures for the haulage business with the house number 13, facing onto Congleton Road with a red brick exterior and slate roof. These buildings are no longer in use.

An access road leading to the rear of the site lies on the northern side of the site beyond which is 17 Congleton Road, a dry cleaners and a number of residential properties facing the main road. To the north east of the site are a number of dwellings accessed off Eaton Close which back onto the site and are separated from the site by tall conifer hedges which in places are up to 6.0m in height but generally in poor condition. These properties are generally only single storey though there are some dormer bungalows as well.

To the south east lies Sandbach Park, a Protected Area of Open Space/ Recreational Facility as allocated in the adopted Congleton Borough Local Plan First Review, which benefits from a number of public footpaths which cut across the area. To the immediate south are Sandbach Ambulance and Fire Stations which have access onto Congleton Road. Both of these structures are relatively modern in terms of construction.

The application site is relatively level throughout, with only a slight rise from the east of the site to the west of approximately 1.5m. Notwithstanding this, the ground level is elevated approximately 2m to 3m above the ground level of the neighbouring dwellings to the north. Also, the ground level of the application site is approximately 1m above the ground level of the ambulance and fire stations to the south. There are currently two access points that serve the overall site; one served the petrol station and the other is further to the north, running along the northern boundary of the existing dwelling and served the haulage depot. Both access points are from Congleton Road.

## **3. DETAILS OF PROPOSAL**

This application is for the development of 53 apartments divided into 13 one-bed apartments and 40 two-bed apartments. This is a commercial development for the creation of retirement apartments as opposed to the development of an extra care facility and accordingly, the scheme does

not benefit from a wide range of facilities or on site care provision. As a consequence, the development is subject to the same policy obligations in respect of affordable housing, public open space provision and parking requirements.

In terms of its built form, the building is essentially U shaped with differing levels of development with a two storey element on the southern ends and rising to four storey in the centre. In terms of appearance, the design of the building is contemporary in form comprising of brick to the ground and first floors with render above and a tiled roof. Use is also made of either full or juliet balconies to provide additional detailing.

In addition 26 parking spaces including 2 disabled spaces are to be provided at the side of the site close to the northern boundary.

Secure garden areas for the residents are to be provided to the east and additional landscaping is also to be provided.

#### **4. RELEVANT HISTORY**

The main application of note is the recent refusal on 4<sup>th</sup> November 2008 of application: 08/0219/FUL. This was for the demolition of all existing buildings on site and the erection of 54no. retirement apartments with associated access, car parking and landscaping.

The remainder of the planning history for the site therefore relates more to incremental changes in the use of the site as a petrol filling station and a haulage yard.

#### **5. POLICIES**

##### **National Policy**

PPS 1: Delivering Sustainable Development

PPS3 Housing

PPG 13: Transport

##### **North West of England Plan - Regional Spatial Strategy to 2011**

DP1 Spatial Principles

DP7 Environmental Quality

L1 Health, Sport, Recreation, Cultural and Education Service Provision

L4 Regional Housing Provision

L5 Affordable Housing

EM11 Waste Management Principle

EM18 Decentralised Energy Supply

##### **Cheshire Replacement Waste Local Plan**

Policy 11 (Development and Waste Recycling)

**Congleton Borough Council Local Plan First Review 2005**

PS4 Towns

H1 & H2 Provision of New Housing Development

H4 Residential Development in Towns

H13 Affordable and Low Cost Housing

GR1 New Development

GR2 & GR3 Design

GR6 Amenity and Health

GR9 Accessibility, Servicing and Parking Provision (New Development)

GR17 Car Parking

GR22 Open Space Provision

S5 Other Town Centre Areas

SPG1 Provision of Public Open Space in New Residential Development

SPG2 Provision of Private Open Space in New Residential Development

SPD6 Open Space Provision

**6. CONSULTATIONS (External to Planning)**

**Environmental Health**

No objection to the development proposed although conditions in respect of the following are proposed:

- A contaminated land Phase 1 report shall be submitted to, and approved in writing by the Local Planning Authority with a Phase 2 report and, if necessary remediation works to be undertaken.
- The hours of construction (and associated deliveries to the site) of the development shall be restricted to 08:00 to 18:00 hours on Monday to Friday, 08:00 to 13:00 hours on Saturday, with no work at any other time including Sundays and Public Holidays.
- Details of the method, timing and duration of any pile driving operations connected with the construction of the development hereby approved shall be approved in writing by the Local Planning Authority prior to such works taking place and shall be implemented in accordance with the approved details.
- No development shall commence until an assessment of traffic noise [and vibration] has been submitted to and approved in writing by the Local Planning Authority. The recommendations in the report shall be implemented in accordance with the approved details prior to the first occupation of the development hereby permitted. The assessment must also incorporate the potential impact on the proposed properties from the surrounding industrial premises.

- No development shall take place until an air quality impact assessment has been submitted to and approved by the Local Planning Authority. The impact assessment shall address the following issues;
  - Current air pollution levels around the development site;
  - Details of potential sources of air pollutants as a result of development activities;
  - Measurable changes (increase and/or decrease) to air pollution concentrations as a result of development activities;
  - Comparison of predicted changes in air pollution concentration to current air quality standards;
  - Precise details of any methodology/guidance used in the assessment of air quality impact;
  - Proactive measures to address potential air quality issues where appropriate.
- Heavy goods vehicles should be restricted and shall only access the site from 9 am to 5 pm Monday to Friday and 9 am to 1 pm on a Saturday.

#### **Nature Conservation Officer**

The officer has noted that the application was supported by an acceptable ecological survey and has no objections to the development. The only potential ecological issues relate to the presence of roosting bats and breeding birds.

No evidence of roosting bats was recorded although small numbers of bats were recorded as commuting along the eastern boundary of the site. The officer noted that the hedgerow along this part of the site is to be retained and enhanced as part of the development. Provided native species are used to supplement the hedgerow, this proposal is likely to be of benefit for bats.

With regards to breeding birds some evidence of previous nesting was recorded within the buildings on site.

If the scheme were to be approved, the officer has therefore recommend that two conditions to protect breeding birds and to ensure that some additional provision is made for both nesting birds and roosting bats.

#### **Affordable Housing Officer**

At the time of the preparation of the report, discussions were still being held with the applicant on the provision of affordable housing. Accordingly, no comment has been received at this time.

### **Senior Landscape & Tree Officer**

The officer has commented that there are a number of trees and lengths of hedge in the vicinity of the site. None of the trees within the site are subject to TPO protection. The submission includes a tree survey. Whilst the cover of the report is dated October 2009, in the document it is stated that the survey was undertaken in July 2007. This is felt to be slightly out of date raising questions over the suitability of the survey.

The site layout plan ref. no.101 shows trees and landscape in an indicative manner and it is not possible to ascertain from the plan the full impact on existing vegetation. However, on block plan no. 102, annotations suggest that the existing hedge and some planting to the north and east would be retained with vegetation to the south being removed. In a tree quality assessment, the submitted tree survey and report classes all the trees to be removed as retention value class C1 or C2 and no outstanding specimens have been identified.

The officer is satisfied that there are no outstanding trees on the site. Nonetheless, retention and protection of the vegetation to the north and east is considered important to help protect the amenities of adjoining properties and reduce the impact of the development when viewed from Sandbach Park. The separation distance between the building and the boundary to the south is such that it would not be feasible to accommodate trees of any significance in mitigation for trees to be removed should the visual impact of the building when viewed for the south be considered an issue.

Site layout plan ref. 101 states that it should be read with the Landscape architects layout plan although no such plan was found in the submission.

In the event the application is deemed acceptable a comprehensive landscape scheme and full details of protective measures for retained trees and hedges will be required.

### **Highways**

The Strategic Highways Manager has assessed this application and recognises that the proposed use offers significant betterment against the traffic that could be generated by the existing use if resumed.

The Strategic Highways Manager recommends conditions and informatives be applied to any permission which may be granted.

The conditions would seek to ensure that no development will commence until the developer has entered into and signed a Section 278 Agreement with the Council and prior to first occupation, all internal access roads and parking areas will be constructed, marked and available for use. In addition, prior to first occupation, the developer will provide a Staff Travel Plan to the satisfaction of the Local Planning Authority and a suite of detailed design plans of all 'off-site' highway



works, to the satisfaction of the Local Planning Authority (see informative below).

The informative would seek to ensure the S278 Agreement will include for the provision and construction of the 'off-site' highway works.

#### **United Utilities**

Objection to the scheme in the basis that a 100mm rising main runs along the southern boundary of the development and there should be no building over the line. In addition, an access strip 6.0 m wide in total (3.0m either side of the line) should be allowed for servicing.

In addition, the surface water should be on a separate system with only foul water connecting to the public sewer. In addition, a pumped storage system should be used and separate metered supply will be required for each unit.

#### **Environment Agency**

The Environment Agency has no objections to the stated application but has requested that if the scheme is approved informative should be included on the decision notice in respect of bat species.

The agency has also recommend that a landscaping scheme is incorporated composed solely of native species.

### **7. VIEWS OF THE PARISH / TOWN COUNCIL:**

The Town Council has objected to this development on the grounds that the development is out of keeping with the area and represents an over development of the site thus contravening Policies GR1 and GR2 parts 1a and d of the Local Plan.

### **8. OTHER REPRESENTATIONS:**

At the time of preparation of the report, four letters of objection have been submitted to the Council from neighbours to the north of the site in Eaton Road and in Radbrook Close. The objectors raised the following comments:

- Concerns over the impact that the development would have on the character of immediate area due to it being four storey in height. In particular, concern was raised to the impact on the park from which the development would be visible given that the trees on the boundary are predominantly deciduous.
- Other issues raised related to the impact that the development could have on causing additional congestion to the traffic on Congleton Road and drainage and sewerage.

- Reference has also been made to the difference in levels between the site and the dwellings in Eaton Close, the likelihood of the conifer hedge remaining following the redevelopment of the site and the displacement of parking onto Eaton Close.
- It has suggested that a two storey development would be more in keeping with the character of the surrounding area.

## **9. APPLICANT'S SUPPORTING INFORMATION:**

### **Planning Statement**

The applicants have supported the application with a planning statement that seeks to justify the development and looks closely at policies appertaining to the scheme proposed. The document also looks at the planning history of the site and draws attention to the key benefits that the proposal could bring.

### **Transport Assessment**

A transport assessment undertaken by Ashley Helmes Associates was prepared by the applicants and submitted with the application. This study shows the development would only be likely to generate five vehicles in and out of the site during the morning peak hour and six vehicles in and out during the afternoon peak.

Accordingly, it is the consultants view that the development would not have a material impact on the operation of the local highway network.

### **Wildlife Surveys**

The applicant has commissioned an Extended Phase 1 Habitat survey and a bat and bird report from Landscape Planning Ltd in respect of protected species that may be present on the site. This has found no significant presence of protected species on the site.

### **Design and Access Statement**

The applicants have produced a Design and Access statement which examines the viability of the proposal and the character of the surrounding area. The document also looks at the relationship of the proposed development to the neighbours and the town park. The statement seeks to justify the design and scale of the development within the surrounding character of the area.

### **Draft Section 106 Heads of Terms**

The applicants have set out the key terms of a section 106 agreement to provide 16 apartments of the 53 proposed which equates closely to a 30% provision which is to be sold at a 30% discount as discount market value housing and an offsite contribution towards public open space provision. The applicants have also accepted that the discounted units should be discounted in perpetuity.

### **Site Investigation Report**

A report by RSK ENSR Ltd has been submitted. The report looks at existing ground conditions and soil contamination together with identifying a remediation strategy to make the development acceptable.

### **Ground Water Monitoring Statement**

Although the applicants have not produced a flood risk assessment as the site is below a hectare in size and not in an area at risk of flooding, they have submitted a report from RSK ENSR Ltd originally produced for the original occupiers Chevron Texaco to look at ground water condition given the historic use of the site as a petrol filling station.

This report has been considered as part of the wider contamination survey.

### **Tree Survey Report**

A report by Trevor Bridge Associates has been submitted identifying the value and quality of the trees on site in accordance with the guidance in BS 5837:2005. Aside from two Jaquemont Birches which are class B/C1, all the other specimens are either class C1 or C2 i.e. those trees of a lesser quality or value.

### **Renewable Energy & Waste Recycling**

The applicants have not looked at any specific details for the integration of sustainable building techniques within the development although in the main Planning Statement they have stated that they will be looking for the building to be energy efficient.

In terms of waste recycling, the applicants have stated that facilities will be provided within each flat for the sorting of waste.

### **Additional Material**

Although not submitted with the application, the applicants have made reference to the December 2009 publication "HAPPI - Housing our Ageing Population - Panel for Innovation" by the Communities and Local Government, Department of Health and the Homes and Communities Agency.

## **10. OFFICER APPRAISAL**

### **Background**

The scheme is similar to the earlier proposal (08/0219/FUL) which was refused but differs in a number of key aspects. The overall footprint of the building has been reduced by approximately 240m<sup>2</sup> to 1,771m<sup>2</sup> and the overall floorspace has been reduced by 23%. The building has been reduced in height particularly on the south west corner by 1.8m with a resultant ridge height of 14.27m. The southern elevation, i.e. the bottom side of the U of the building, has also been reduced in length by 3.6m from 62.2m down to 58.6m.

### **Principle of Development**

The application site is located within the Settlement Zone Line for Sandbach to the north of the Town Centre as identified in the adopted Congleton Borough Local Plan first review. Therefore, there is a presumption in favour of development. The site is not allocated in the Local Plan. To the east, the site abuts a Protected Area of Open Space/Recreational, i.e. Sandbach Park.

As the scheme is for retirement flats, the development itself is considered under Use Class C3 i.e. domestic residential and therefore needs to be considered as any other open market housing scheme.

One of the first matters for consideration is the impact that the scheme may have on the Councils housing land supply figures. There are two aspects to this consideration that need to be taken into account, firstly, the suitability of the site for housing when considered against the sequential test for site prioritisation and secondly, if the site is unsuitable, whether the Council can show a viable five year land supply.

In the first instance, the site is located close to the heart of Sandbach and is therefore in a very sustainable position. Furthermore, as the scheme is for the redevelopment of a brownfield site it is felt that the proposal is in a preferable location in terms of policy compliance. On this basis, it is felt that housing development can be supported. For information, the Council is currently close to providing a five year land supply however this is subject to a consideration of the viability on the delivery of some of the schemes previously granted approval due to the recent market down turn and it may be argued that the Council could not prove an adequate five year land supply and accordingly residential development should be looked upon favourably.

### **Layout, Design and Street Scene**

On the basis that the site is deemed suitable for residential development, attention is then given to the details of the scheme.

The earlier proposal was refused on a number of grounds amongst them the scale and mass of the development proposed together with impact that the scheme would have on the neighbours and the views from the town park.

Before looking at the impacts that the scheme will have on the neighbours, attention is given to the relationship of the proposed building to the existing street scene. Whilst there are some three storey properties in the vicinity of the site, the area is predominantly characterised by the existence of two storey dwellings. Whilst some of these are quite grand either being Victorian or Edwardian in character the proposed development is a noticeably larger form. In itself, being larger than surrounding properties is not a reason for refusal but the question to be answered is whether the degree of contrast between the

scale of the building being proposed and those that already exists is acceptable.

In this instance, it is felt that the Congleton Road frontage of the development is still very prominent despite the reduction in scale and mass since the last application. At the street frontage the development is three storeys in height but due to the additional floor further back, the roof level continues to rise. Whilst this will not be particularly prominent to pedestrians passing on the eastern pavement, those passing on the western side of Congleton Road will see the structure at a different angle and therefore experience the mass of the roof form which is particularly noticeable when compared against other buildings near by.

The other principle elevation is that to the park to the east. In the earlier 2008 report, the officer noted the following *“The upper floors of the building will be visible above the tree line, in particular from the view from Sandbach Park to the south. This will result in an obtrusive feature that will have a detrimental impact on the openness of the neighbouring park.”*

Whilst the amended scheme will have a reduced impact on the park especially at the southern (left-hand) end, the building will still be prominent. Having considered the relationship of the building to the park, it is still felt that the scheme will represent an obtrusive feature and will have a detrimental impact on the openness of Sandbach Park.

### **Amenity**

The relationship of the building to the neighbours on the northern boundary is one of the key issues of concern.

Whilst there is an existing conifer hedge along the edge of the site to the north and there is a step change in the difference in levels between the two sites, the building will be relatively close to the neighbouring bungalows.

In their Design and Access statement, the applicants have considered the distances of the building from the neighbours dwellings. Their analysis however has looked at the distance of the three storey element of the building from the rear windows of the existing houses. Whilst there is some merit in this approach given the change in levels and the existence of a bank between the two sites, it is still felt that the analysis should be to the main part of the new development i.e. the two storey element to the north and also take into account that the development will have on the neighbours private garden areas.

One mitigating fact is that the scheme is separated from the neighbours by virtue of the existing conifers but the arboricultural report indicated that these may only remain for up to 20 years. In addition, the applicants have proposed the use of a 2.0m high close boarded fence on the boundary which will impact on the neighbours.

Due to the orientation of the buildings, there will also be a degree of overshadowing which will be especially noticeable in the autumn, winter and spring when the sun is lower in the sky. Whilst this is accounted for in part by the presence of the conifers, these will not remain in place in perpetuity and accordingly the building will overshadow the neighbours.

After consideration, it is felt that the development as proposed will have an unacceptable impact on the neighbours due to overbearance of the buildings and overshadowing.

### **Landscape**

The development will result in the loss of some low quality trees which although not of sufficient worth to warrant protection through the use of a tree preservation order are of some value.

Due to the limited space surrounding the site once the parking area, access road and the building itself are taken into account, there will be little scope for new planting on the site of any substantial planting. On the site plan, the applicants have shown some trees in the garden area to the rear but if allowed to grow to full maturity, they will impact on light entering the bedroom windows to the detriment of the residents and accordingly may be removed

Given that this part of the site represents the interface between the development and the park to the east, the relatively light level of planting and landscaping proposed is felt to be limited and insufficient to mitigate against the impact of the development especially if the planting near to the building is removed.

### **Ecology**

Consideration has been given to the EC Habitats Directive 1992 which requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or resting places,

- in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment

and provided that there is

- no satisfactory alternative and
- no detriment to the maintenance of the species population at favourable conservation status in their natural range

The UK implemented the Directive by introducing The Conservation (Natural Habitats etc) Regulations 1994 which contain two layers of protection

- a requirement on Local Planning Authorities (“LPAs”) to have regard to the Directive’s requirements above, and
- a licensing system administered by Natural England.

Circular 6/2005 advises LPAs to give due weight to the presence of protected species on a development site to reflect EC requirements. “This may potentially justify a refusal of planning permission.”

PPS9 (2005) advises LPAs to ensure that appropriate weight is attached to protected species “Where granting planning permission would result in significant harm .... [LPAs] will need to be satisfied that the development cannot reasonably be located on any alternative site that would result in less or no harm. In the absence of such alternatives [LPAs] should ensure that, before planning permission is granted, adequate mitigation measures are put in place. Where ... significant harm ... cannot be prevented or adequately mitigated against, appropriate compensation measures should be sought. If that significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused.”

PPS9 encourages the use of planning conditions or obligations where appropriate and again advises [LPAs] to “refuse permission where harm to the species or their habitats would result unless the need for, and benefits of, the development clearly outweigh that harm.”

The converse of this advice is that if issues of detriment to the species, satisfactory alternatives and public interest seem likely to be satisfied, no impediment to planning permission arises under the Directive and Regulations.

In this case, consideration is given to the findings of the protected species survey undertaken on behalf of the applicant. Whilst there are birds and bats that use the site, their main activity is based around the park to the east.

The Nature Conservation Officer has suggested two conditions in respect of controlling development during the breeding bird season and these are felt appropriate and are therefore recommended.

### **Highways and Parking**

This matter has been considered by the Strategic Highways Manager. In principle they have no objection to the development being proposed on the basis that the historic use of the site was as a petrol filling station and a haulage yard, a use that could resume without the requirement for a planning application being submitted.

In terms of the level of parking, the applicants have proposed a provision of 0.5 spaces per dwelling, whilst this is low compared to

traditional dwellings, it is recognised that the development is for people over 55 and therefore car ownership will be lower than normal. In addition, there are spaces within the town which are readily accessible and can be used for overspill parking if necessary.

### **Contamination**

The applicants have looked at the past history of the site and this has been considered by the Council's Environmental Health Officer. Whilst the site has some contamination, these are matters commonly found with similar sites and therefore the remediation approaches that can be utilised are well established. Accordingly, the Officer's opinion is that should planning permission be approved, this matter can adequately be addressed through the use of conditions.

### **Open Space Provision**

Policy GR22 requires the provision of Public Open Space. Policy GR22 requires that this public open space is of 'an extent, quality, design and location in accordance with the Borough Council's currently adopted standards and having regard to existing levels of provision'. It goes on to state that the 'Council may accept a commuted payment in lieu of on site provision, providing the alternative is near to and easily accessible from the housing site'.

Through the draft Heads of Terms for a Section 106 agreement, the applicants have offered to provide a financial contribution in lieu of provision.

Given the proximity of the development to the town park and the potential need for large areas of land to be put aside for sports activities e.g. football, it is felt that a commuted sum in this instance would be appropriate.

### **Affordable Housing**

The applicants have offered 16 of the units for affordable housing which represents a 30% provision based on the total number proposed. These however are to be given as discount market housing and not as social rented or equity share dwellings.

Normally, such provision would not meet the requirement of the Council's affordable housing guidance in SPD6 but it has to be remembered that this development is for shared living with associated service charges.

At the time of writing the report, no formal comments have been received from the Affordable Housing Officer though it is understood that discussions have been ongoing with the applicants in respect of the suitability of the offer being made to the existing policy framework. The outcome of these discussions will be provided through an update sheet prior to the Committee meeting.



### **Renewable Energy & Waste Recycling**

As indicated, the applicants have not looked at any specific details for the integration of sustainable building techniques and renewable energy measures within the development or detailed measure to improve waste recycling

In the absence of any supporting information to show why the target in the Regional Strategy requiring 10% of the energy demand for the site to come from renewable sources has not been met, the application is not felt to be in compliance with the adopted policies.

In light of recent case law though, it is recognised that this matter can be addressed through the use of a condition to require the submission of details and timetables for the provision of 10% of the overall energy supply to come from renewable sources should the application be deemed acceptable and is recommended for approval.

### **Supporting Information**

In support of the application, the applicants have put forward information to show the need for retirement homes and the role that they can play. This includes reference to the recent publication in December 2009 entitled "HAPPI - Housing our Ageing Population - Panel for Innovation" by the Communities and Local Government, Department of Health and the Homes and Communities Agency.

This guidance promotes the development of premises such as the one currently under consideration and the important role Local Authorities have in securing such facilities.

Whilst it is accepted that there is a need for retirement homes amongst the wider portfolio of housing, this is not in itself felt to be a sufficient material consideration to weigh against the harm that the proposed development is likely to have on the wider street scene, views from the park and the neighbours to the north.

### **Other Matters**

In light of the comments of United Utilities, it is felt that the proposed development could have a detrimental impact on the drainage provision crossing the site. Although the applicants have suggested that the building could be altered to accommodate the requirements of the service provider, the scheme in its current format would result in conflict with the sewer and accordingly is not felt to be acceptable.

## **11. CONCLUSIONS**

The principle of development on this site is accepted as the application site is on a brownfield within the Settlement Zone Line of Sandbach, on land that is not allocated for any purpose in the Congleton Borough Local Plan.

In respect of open space provision, the applicants have offered a contribution in lieu which in principle is accepted. The issue of affordable housing though is one though that needs further consideration and will be subject to an update sheet.

Although an objection was received regarding parking provision, it is considered that due to the good access to public transport and its close proximity to the town centre the proposed parking meets the requirements of GR17 and PPG13.

The key issues though relate to the design of the proposal. Despite the reductions in the mass and height of the building is still considered that the building will be out of character with the surrounding area. The development will create an incongruous feature in the street scene and will result in an over development of the site. Furthermore, it will have an unacceptable overbearing impact on the neighbouring residential properties and will be obtrusive on the openness of the adjoining Sandbach Park, creating an undue sense of enclosure detriment to the amenities of the users of the park.

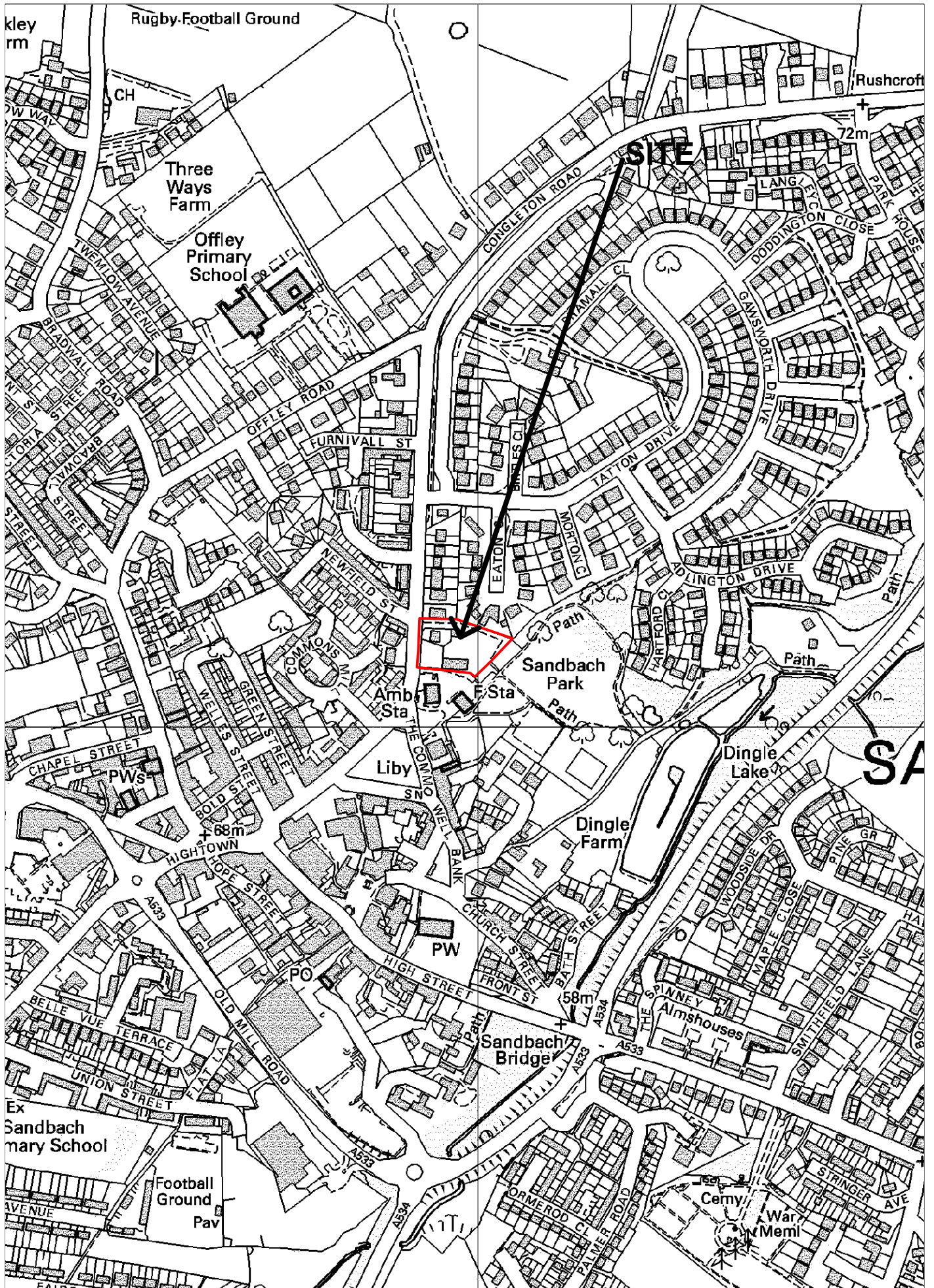
## **12. RECOMMENDATIONS**

REFUSE for the following reasons:

The proposal, by reason of its siting, scale, mass and design, represents an incongruous feature in the street scene, out of context with the environment and neighbouring properties and as such would be harmful to the street scene. As such the proposal is contrary to Policies GR1, GR2 and GR3 of the Congleton Borough Local Plan First Review.

The proposal, by reason of its close proximity to the southern boundary, scale and design, would, when viewed from Sandbach Park, appear obtrusive and would visually intrude into the park, to the detriment of the openness and character of the area, contrary to policy GR1, GR2, and GR3 of the Congleton Local Plan First Review.

The proposed development by virtue of its location would be harmful to the continued effective operation of the existing public sewer. As such the proposal is contrary to Policies GR20 of the Congleton Borough Local Plan First Review.



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## CONSULTATION BY ADJOINING AUTHORITY

### CESHIRE WEST AND CHESTER COUNCIL – PLANNING APPLICATION

Ref: 09/02430/WAS

Proposed Waste Treatment Plant, Wincham, Northwich.

#### Location

The proposed waste treatment facility is located off Wincham Lane, Northwich, within the District of Cheshire West and Chester and consists of a site extending to 5.22ha of land on the Wincham Industrial Estate formerly occupied by the Wincham Salt Works. The site lies approximately 1km from the Cheshire East boundary at Pickmere. The application is supported by an Environmental Impact Assessment and has been received by Cheshire West and Chester Council who will determine it and have now consulted Cheshire East Council as a neighbouring Authority.

#### Background

The applicants Resource Recovery Solutions Ltd (RRS) are one of two remaining companies bidding for the Cheshire Household Waste PFI Contract. The contract to be let by Cheshire West and Chester and Cheshire East Council's, will address the treatment and disposal of residual waste from all kerbside and household waste reception centres (HWRC's), i.e., the waste collected by both Council's, over the next 25 years, which is currently being disposed of in landfill sites. The contract will assist both Councils in meeting the EU Landfill Directive and National Targets to reduce the amount of biodegradable municipal waste going to landfill. The successful bidder for the contract is expected to provide a waste treatment facility, ideally located centrally within Cheshire. Whilst waste collected locally to the facility would be delivered directly (in bin lorries), a series, probably three, of waste bulking stations would be needed to serve more peripheral parts of the two Council areas, current expected to be Ellesmere Port, Macclesfield and Crewe. Separate applications for these facilities are expected later this year. The other remaining bidder for the contract Viridor has already submitted a planning application for a waste facility in Lostock Gralam, Northwich, which was reported to this Committee on 2<sup>nd</sup> December 2009.

#### Proposed Development

Whilst some buildings on site will be demolished Victoria House, which is a low modern building will be retained and used for offices, visitor and education centre. Three new large interlinking buildings are proposed that will house a waste reception hall (74.5m x 40.2m x 16.3m), material recovery facility (57.4m x 55.8m x 16.5m) and advanced conversion technology (ACT) hall (78.6m x 89.6m x 23.1m). The buildings therefore vary in height from 16.5m to 23m and are not out of scale with other industrial buildings in the area. Flue gases would be emitted from a 60m high stack which would be 4m in diameter.

The facility would be capable of handling 200,000 tonnes of waste a year which currently accords with that generated within Cheshire after recycled material has been taken out of the waste stream.

Access to the proposed facility would be off Wincham Lane with vehicles from the Ellesmere Port bulking station likely to use the M56 and A559, those from Macclesfield the A559, A556 and A537 and those from Crewe probably the A530.

It is estimated that daily traffic levels would be 57 incoming HGV's delivering waste, 15 outgoing HGV's removing recyclable material and bottom and fly ash from the process, and up to a maximum of 50 staff cars.

Normal hours for the reception and removal of material would be 0800 to 1730 Monday to Friday and 0800 to 1630 Saturday, Sunday and Bank Holidays. The plant itself would work continuously round the clock.

It is estimated that the facility would take 33 months to construct and commission during which hours of construction working would be limited to 0700 to 1700 Mondays to Saturdays.

Waste vehicles entering the site would be directed into the waste reception hall to offload waste. All waste would be received and handled within the buildings which would be kept under negative pressure thereby drawing air into the facility and reducing the likelihood of odour emission. Waste would then be transferred into the material recycling facility where a number of processes would remove recyclable material and then mix and mash the remaining waste. Recyclable waste would be removed from site. The remaining processed waste would then be fed by hopper in the ACT Hall to the gasification plant where it would be thermally treated. The process is similar to incineration but oxygen is reduced at the initial combustion phase to be introduced later to further burn the emission gases. This process is expected to significantly reduce the emissions from the stack. The heat from the process would be used to raise steam and produce it is estimated 13MW of electrical power, some of which would be exported to the national grid.

The fly ash from the process, captured from the gas emissions prior to discharge from the stack, would need to be taken to a hazardous waste facility, whilst the bottom ash could be used for building block processes or disposed of to landfill.

## Potential Impacts on Cheshire East

Should RRS be the successful bidder for the Cheshire PFI Waste Contract, all Council (both Cheshire East and Cheshire West and Chester) collected waste from domestic premises and Household Waste Reception Centres would be delivered to this site. Waste collection rounds proximate to Northwich are likely to deliver directly to the facility, however more distant collections are expected to initially discharge at one of two bulking stations expected to be located at Crewe and Macclesfield. Planning applications for these facilities will be submitted in due course. Cheshire West and Chester are likely to utilise a bulking station in Ellesmere Port. The routing of such vehicles could if necessary be controlled by the Council and operator. It is estimated that a total of 57 waste vehicles would access the site daily; approximately half coming from Cheshire East, such figures are not considered significant or likely to have an adverse impact on the highway network.

Considering the scale of buildings proposed, local topography and landscape features, it is not considered that the proposed building are likely to have a significant visual impact when viewed from Cheshire East.

This facility would also be subject to a waste permit issued, monitored and enforced by the Environment Agency. The plant would therefore need to meet the emission standards required by the Agency. The handling of waste would be carried out within buildings equipped with negative pressure and filters; it is therefore not considered that odour or dust would be a problem, both could be controlled through condition. The Environmental Health Officer has yet to comment on the consultation; any comment received will be reported verbally or through a report update.

The more local environmental impacts would be considered by Cheshire West and Chester Council.

This application has been specifically submitted to serve the identified need to treat the waste collected by Cheshire West and Chester, and Cheshire East Councils. A second application to treat this waste source has also been submitted by the other bidder (Viridor) for the PFI Contract. It is considered important that any permissions that may be granted, limits the use of those facilities to this sole purpose. This would thereby ensure the unsuccessful bidder is unable to implement a permission that could otherwise seek to attract other private waste contracts in an area that is already over provided with planning permissions for waste facilities. Existing planning permissions for the Bedminster Plant immediately next to this proposal and the very large Energy from Waste Plants and facilities at Ince Marshes and Weston Point, Runcorn will result in those and any further facilities having to unsustainably source the waste to operate those facilities from considerable distance, contrary to the principle of treating and disposing of waste close to source. The unsuccessful bidder would however be able to resubmit should they wish, based on private sector waste arisings. Such an application would be determined on the need for further facilities serving the private sector.

#### Recommendation

It is recommended that the Council indicates to Cheshire West and Chester Council that it wishes to raise no objection to the proposed application, subject to conditions and or legal agreement restricting the use of the facility to that solely to serve the municipal waste needs of the two Councils and subject to the Council being consulted on routing agreements.

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